Government of Kerala
1982

Reg. No. KL/TV(N)/12



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVII] Trivandrum, Tuesday, 10th August 1982 / 19th Sravana 1904 [No. 560

GOVERNMENT OF KERALA

Home (SS-A) Department

NOTIFICATION

No. 42906 SSA1|82|Home. *Dated, Trivandrum, 10th August,* 1982.

S. R. O. No. 960|82.—Whereas the District Magistrate, Alleppey, has as per Proceedings No. P7-47051|82 dated the 26th July, 1982, inter alia made an order under sub-section (1) of section 23 of the Kerala Police Act, 1960 (5 of 1961), prohibiting any procession or public assembly in Veliyanad and Ramankary Villages and Vadakkekara in Pulincunnu Village and Thekkekara in Champakulam Village of Kuttanad Taluk;

And whereas the said order is due to expire at 6 p.m. on the 10th day of August, 1982;

And whereas the Government of Kerala consider that for the preservation of public peace it is necessary that the said order shall continue to remain in force;

33|2903|MC.

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 23 of the Kerala Police Act, 1960 (5 of 1961), the Government of Kerala hereby direct that the said order shall remain in force for a further period of 30 days with effect on and from 6 p.m. on the 10th day of August, 1982.

By order of the Governor,

K. V. VIDYADHARAN,

Special Secretary to Government.

Explanatory Note

(This note does not form part of this notification but it is intended to indicate its general purport).

The District Collector, Alleppey has reported to Government that the tension between the workers of R. S. S. and Communist Party of India (Marxist) in Veliyanad and Ramankary Villages, Vadakkekara in Pulincunnu Village and Thekkekara in Champakulam Village of Kuttanad Taluk consequent on the clashes between R. S. S. and Marxists at Kidangara on 18-7-1982 resulting in the death of one R. S. S. worker still prevails and that there is likelihood of further clashes in the area between the members of those parties. The District Collector, has therefore requested that the prohibitory order issued by him may be extended. Hence this notification.

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1982

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KERALA GAZETTE

SUPPLEMENTS

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Abstract

PUBLIC SERVICES—NATIONAL SAVINGS OFFICERS—CHANGE OF DESIGNATION AS ASSISTANT DIRECTOR OF NATIONAL SAVINGS—ORDERS—ISSUED

FINANCE (ESTABLISHMENT 'A') DEPARTMENT

G. O. (P) 296/82/Fin. *Dated, Trivandrum, 15th June* 1982.

Read:—1. Representation No. 1. N S/82 dated 3-3-1982 from the Kerala State National Savings Officers' Association.

ORDER

The Kerala State National Savings Officers' Association have all along been representing to Government to consider their request for change of designation. After due consideration Government are pleased to re-designate the posts of National Savings Officers in the National Savings Department as "Assistant Director of National Savings".

By order of the Governor,
C. SYAMALA BAI,
Deputy Secretary to Government.

To

The Secretary, Kerala State National Savings Officers' Association.
The Senior Deputy Accountant General, Kerala, Trivandrum.
The Director, N. S. D.
The National Savings Department.
All District Collectors
All Heads of Departments
The Secretary, Public Service Commission (with C/L).
The Director of Public Relations.
The Finance (PRC-B).

G. 921

Kerala Gazette No. 32 dated 10th August 1982.
PART I

GOVERNMENT OF KERALA

Abstract

PRINTING WORK OF GOVERNMENT DEPARTMENTS—EXECUTION OF—ORDERS ISSUED—CLARIFICATION ISSUED

HIGHER EDUCATION (H) DEPARTMENT

G.O. Ms. 83/82/H.Edn. *Dated, Trivandrum, 15th July* 1982.

Read:—1. G.O. Ms. 90/81 H. Edn. dated 5-6-1981

2. Letter No. Co-order IV/12-45/VII/260/1800 dated 6-8-1981 from the Accountant General, Trivandrum.

ORDER

Guidelines for arranging the printing works of Government Departments were issued in the G.O. read above. The Accountant General has raised certain points for clarification. After examining the matter in details Government issue the following clarification:

(i) Previous Government sanction should be obtained before any printing work is arranged with a private press out side the State.

(ii) Only those items of printing work which have to be done within a time limit wlll be entrusted with Private Presses observing the formalities prescribed. The urgency and time limit will however be decided by the concerned Department.

(iii) According to para 3 of the G.O. read above printing work may be arranged through Private Presses only if the Superintendent of Government Presses and the Kerala Books and Publications Society certify their inability to execute the work within 2 months and one month respectively. If the extent of delay is only marginal and if there is no reasonable expectation that the work will be got completed by Private Presses within that date owing to the procedural formalities to be observed, the work will be entrusted with the Government Presses or the Kerala Books and Publications Society.

(iv) The authority to call for tenders and place orders with Private Presses when printing works are to be arranged through Private Presses will be the Head of the Department concerned/District Collector. The reasonableness or otherwise of the rates quoted by Private Presses will however be certified by the Superintendent of Government Presses.

(v) The monetary limit in respect of each item of work to be entrusted with Private Presses will be as laid down in the last para under Sl. No. 42 in appendix 4 Vol. II Kerala Financial Code.

By order of the Governor,

B. VASANTHI,

Joint Secretary to Government.

To

All Special Secretaries/Additional Secretaries/Joint Secretaries/ Deputy Secretaries and Under Secretaries to Government
All District Collectors
All Heads of Departments and Offices.
The Registrar, High Court, Ernakulam (with C.L.)
The Registrar, University of Kerala, Cochin, Calicut "
The Registrar, Agricultural University, Mannuthy "
The Secretary, Public Service Commission, Trivandrum "
The Advocate General, Ernakulam "
The Managing Director, Kerala Books and Publications Society, Thrikkakara, Cochin
The Accountant General, Trivandrum (this issues with the concurrence of Finance Department)
The Finance Department (vide their U.O. No. 14630/Edn. B3/81/Fin. dated 15-3-1982)
All Departments/Sections of the Secretariat (Including Law, Finance and Legislature Secretariat)

Kerala Gazette No. 32 dated 10th August 1982.
PART I

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G. O. (Rt.) No. 709/82/LBR. *Dated, Trivandrum, 5th July 1982.*

The award of the Labour Court, Quilon in respect of the dispute between the Area Sales Manager, Brooke Bond India Limited, Area Sales Office, Water Works Road, Trivandrum-10 and the workmen of the above establishment represented by the Secretary, Brooke Bond Employees' Union, Priya Lodge Lane, Thampanoor, Trivandrum-1 received by Government on 2-7-1982 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
K. Sivadasan,
Deputy Secretary to Government.

In the Labour Court, Quilon,

Tuesday, the 15th day of June, 1982

Present:

Sri T. V. KUNHAHAMED B. A., B. L.,

Presiding Officer

In

INDUSTRIAL DISPUTE NO. 5/80

Between:

The Area Sales Manager, Brooke Bond India Limited, Area Sales Office, Water Works Road, Trivandrum-10

And

The Workmen of the above establishment represented by The Secretary, Brooke Bond Employees' Union, Priya Lodge Lane, Thampanoor, Trivandrum-1.

Representations :—

Sri K. V. R. Shenoi,
Advocate,
M/s. Menon & Pai, Advocates,
Ernakulam, Cochin-11. .. For *the Management.*

Sri. G. P. Mohanachandran,
Advocate, Trivandrum. .. For *the Union.*

G.A. 128/V.

AWARD

Dismissal of Sarvasree P. Sivasankaran Nair and C. Ambrose, Salesmen is the issue referred for adjudication by Government of Kerala as per G. O. (Rt) No. 262/80/LBR dated 5-3-1980.

2. The parties entered appearance. Both the employees in question were working as Salesmen of the employer, Brooke Bond India Ltd., Area Sales Office, Trivandrum. They were dismissed on the basis of the findings of the enquiry officer regarding falsification of accounts and misapporpriation of funds etc. The defence of Sri. P. Sivasankaran Nair is that he had not cheated the company or falsified the acconnts, misapporpriated the company funds and the charges were levelled with a view to get rid of him since he was functioning as the Secretary of the Brooke Bond Employees' Union. But the company accepted the findings of the enquiry officer and dismissed Sri. Sivasankaran Nair.

3. Similar charges were framed against Sri. Ambrose also. His defence was that he had no intention to prepare false, duplicate cash memos and he had only erased the mistakes in the carbon copy. The cash memos are prepared and issued by the Salesmen from the Bazaar itself and it is done in quick succession. When there is pressure of work, the carbon paper may get misplaced thereby causing mistakes in the copy. This defence of Sri. Ambrose was not accepted by the enquiry officer on whose recommendation Sri. Ambrose was also dismissed.

4. The union has filed a written statement detailing all the above contentions.

5. The employer has filed a detailed counter statement.

6. When the matter come up for hearing on 24-3-1982 it was represented that the parties are porposing to settle the matter. Accordingly the case was adjourned to 28th April 1982. On 28th April 1982, the union and counsel were absent. The advocate for the management filed an application to accept the settlement and to pass an award accordingly. Under the provisions of the agreement the original of, which has been signed by the dismissed employees as well as the advocate for the union and the officers of the company, the dismissal of the employees have been altered into discharge and the company had agreed to pay Rs. 22,000 as ex-gratia to Sri. P. Sivasankaran Nair and a sum of Rs. 20,000 to Sri. C. Ambrose. The agreement further provides that the employees shall have no further claim against the Brooke Bond India Ltd. except the claim for gratuity and provident fund. The provisions of the agreement do not appear to be prejudicial to the interests of the employees in question. I therefore accept the same and pass an award accordingly. The Memorandum of Settlement shall be appended to this award.

This award shall come into force on the expiry of 30 days from the date of its publication in the Government Gazette.

Dictated to the Confidential Assistant, transcribed and typed out by him, corrected by me on this the 15th day of June, 1982.

T. V. KUNHAHAMED,
Presiding Officer.

Appendix

MEMORANDUM OF SETTLEMENT UNDER SECTION 18 OF THE INDUSTRIAL DISPUTES ACT, 1947,

Between : Area Sales Manager, Brooke Bond India Ltd., Residency Road, Thycaud, Trivandrum-695014.

And : 1. P. Sivasankaran Nair,—President, Kerala Brooke Bond Employees Union, Trivandrum.
2. C. Ambrose.

Representing Employer (Management.)

1. Mr. K. Neelambaran, Area Sales Manager, Brooke Bond India Ltd., Trivandrum.
2. Mr. A. Venugopal, Admn. Officer, Brooke Bond India Ltd., Cochin-682003.

Representing Employees

1. Sri. P. Sivasankaran Nair, President, Kerala Brooke Bond Employees Union, Mahalikulam Road, Trivandrum-1.
2. Sri. C. Ambrose, Nirmala Bhavan, Kadavila, Parasala.

SHORT RECITAL OF THE CASE

An Industrial Dispute is pending before the Labour Court, Quilon in I. D. No. 5 of 1980 regarding the above two persons, viz, M/s. P. Sivasankaran Nair, and C. Ambrose, who have been dismissed by the Management of Brooke Bond India Ltd., for misconduct. While this dispute is still pending adjudication before the Labour Court, the dismissed employees have been representing to the Management for a sympathetic consideration of their cases so that the matters in dispute could be settled out of court. The Management, after having given due consideration to these representations have agreed to the following terms for the purpose of a settlement of the dispute.

TERMS OF SETTLEMENT

1. The Management agrees to convert dismissal of the above mentioned two employees, viz. M/s. P. Sivasankaran Nair and C. Ambrose, into discharge with effect from the date of dismissal as a special case after considering their representation.

2. As a gesture, the Management also agrees to pay the following amounts as ex-gratia to the aforesaid persons concerned.

Mr. P. Sivasankaran Nair	Rs. 22,000 (Rupees Twenty Two thousand only)
Mr. C. Ambrose	Rs. 20,000 (Rupees Twenty thousand only)

The payments by crossed cheque as above will be effected by the management on or before 23rd April 1982.

3. M/s. P. Sivasankaran Nair and C. Ambrose confirm that they have received the above-mentioned amounts in full satisfaction of all their claims and that they do not have any further dispute or claims regarding their employment monetarily or otherwise.

4. Accordingly the parties agree to submit a petition in the appropriate manner to the Labour Court, Quilon praying that an Award in the dispute No. I. D. No. 5 of 1980 may be passed in terms of this Memorandum of Settlement, since all the issues concerning them have been fully and finally settled out of court under this settlement.

5. M/s. P. Sivasankaran Nair and C. Ambrose further agree and confirm that neither they nor any organisation on their behalf will rasie any further claims or disputes against the Management of Brooke Bond India Ltd., Since all matters concerning their employment and their employment and their subsequent non employment under M/s. Brooke Bond India Ltd., have been settled fully and finally under this settlement. It is further agreed that neither P. Sivasankaran Nair nor C. Ambrose has any claim for re-employment or of any monetary nature hereafter except gratuity and provident fund.

Dated this the 19th day of April 1982.

Representing Management.

1. K. Neelambaran (Sd.)
2. A. Venugopal (Sd.)

Representing Employees.

1. P. Sivasankaran Nair (Sd.)
2. C. Ambrose (Sd.)

Witness :

1. G. P. Mohanachandran, Advocate, Trivandrum. (Sd.)

Copy to :

1. The District Labour Officer and Conciliation Officer, Trivandrum.
2. Labour Commissioner, Trivandrum.
3. Secretary, Department of Health and Labour, Trivandrum.

(True copy)

Kerala Gazette No. 32 dated 10th August 1982.
PART I

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G.O. (Rt.) No. 506/82/LBR. *Dated, Trivandrum, 7th May* 1982.

The award of the Labour Court, Ernakulam in respect of the dispute between (1) The Refinery Manager, Cochin Refineries Ltd., Cochin-682016 and (2) Shri E. M. Haneef, Premier Cargo Service, Hospital Road, Cochin-682003 and the workmen of the above establishment represented by the General Secretary, Cochin Refinery Contract Workers' Union, Ambalamugal-682302 received by Government on 4-5-1982 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
P. Gomathy Amma,
Deputy Secretary to Government.

In the Labour Court, Ernakulam

Dated this the 29th day of April, 1982

Present :

Shri N. SUKUMARAN, B. SC., B. L.,

Presiding Officer

In

INDUSTRIAL DISPUTE No. 218 of 1979
(Old No. I. D. 17 of 1978)

Between

The Refinery Manager, Cochin Refineries Ltd., Cochin-682016 and
(2) Shri E. M. Haneef, Premier Cargo Service,
Hospital Road, Cochin-682003

And

The workmen of the above establishment represented by the General Secretary, Cochin Refinery Contract Workers' Union,
Ambalamugal-682302.

Representations:

M/s. Menon & Pai, Advocates, Ernakulam. .. For *Management No. 1*
Shri B. S. Krishnan, Advocate, Ernakulam. .. For *Management No. 2*
Shri P. F. Francis Advocate, Cochin-19. .. For *Union*

AWARD

This reference as per G. O. (Rt.) No. 227/78/L & H dated 8-2-1978 was to the Labour Court, Quilon. It was taken on the file of that Court as I.D. 17/78. Later it was transferred to this Court and re-filed in the present number due to change of territorial jurisdiction.

2. The issues referred are (1) Denial of employment to 45 workers and (2) Wages for the period of unemployment of these workers.

3. Two Managements are impleaded in the case. I shall hereafter refer them as Management Nos. 1 and 2 respectively. The first Management is the Cochin Refineries and the second Management a Transporting Contractor. The Cochin Refineries had a by-product asphalt. The 2nd Management was entrusted the work of loading and transporting asphalt filled in drums from the premises of the 1st Management as per Ext. M1 contract dated 8-3-1974. The contract was for a period of three years. But it was terminated with effect from 23-5-1975 as per Ext. M2 communication dated 7-5-1975. The 45 workers with whom we are concerned were engaged in the loading and unloading of asphalt drums. They were left without work on the termination of the contract between the two Managements. The dispute relates to the termination of the employment of the workmen.

4. The Union in its claim statement seeks relief of continued employment for the workmen or in the alternative compensation for the termination alleging that the workmen were continuously employed in the loading and unloading work ever since the 10th of December 1967. It is not stated in clear terms as to which of the two Managements is liable for the reliefs claimed. However the Union is now claiming reliefs against the first Management alleging that it was continuously employing these workmen inspite of frequent changes of the Contractors in the interval.

5. The first Management contends that it had nothing to do with the workmen and that they were employed by the Contractor, the 2nd Management and therefore it is not liable for any of the reliefs claimed. The 2nd Management on the other hand contends that these workers were already doing the work previously under the then Contractor and he was forced to engage them in continuation and that he is therefore not the employer. He had paid all benefits that were payable for the services rendered during the subsistence of the contract and he is therefore not liable for any further reliefs.

6. It is common case that asphalt as a by-product was not available in the Cochin Refineries from May 1975 onwards and the contract for transporting the same was terminated for that reason. The workmen have no serious case that the same work is available now for absorbing them. That probably is the reason why they are claiming compensation in the alternative. In view of the fact that the work done by these workmen was no more available it is not possible to order reinstatement. So the question of compensation, if any, payable to the workmen alone need be considered.

For that matter the Management that is liable to pay the compensation if any, has to be decided first.

7. Most of the facts are admitted. Asphalt as a finished product filled in drums and stored in the Refinery premises is delivered over for sale and distribution to the Indian Oil Corporation on its directions. The delivery is to be effected to wagons at rail heads on lorries provided for that purposes The loading, transporting and unloading at the rail heads were done on contract by various Contractors from time to time and the Second Management was the successful Contractor for the period beginning with March 1974. The contract was for three years. But it was terminated in the middle of that period for valid reasons as per the terms of the contract.

8. The First Management denies any sort of connections with the workmen employed for loading and unloading. It does not admit the claim of the workmen that they were continuously engaged in this work. WW1 and WW2 are two of the affected workmen. Their claim that themselves and other workers were continuously working under the various Contractors from 1967 onwards is not seriously challenged. MW1, the Personnel Manager of the First Management, did not confirm or deny the suggestion that these workmen were working under all the Contractors employed for loading, transporting and unloading work. In these state of affairs the claim that the same set of workmen were engaged in this work throughout can be accepted.

9. These workmen were issued passes like Ext. W1 from the First Management. Those passes were necessary for them to enter the factory premises. The passes show that they were issued to workers of the Contractor. The fact that passes were issued does not mean that they were the First Management's workmen. So the argument that they can be treated as the workmen of the First Management for the reason that passes were issued by it is not acceptable.

10. It is the admitted case that these workmen were admitted to the Provident Funds Scheme of the First Management. This circumstance is relied on by the Union and the Second Management in support of their case that they were the employees of the First Management. The answer of the First Management is that they were admitted to the Provident Funds Scheme only because of the obligation created by Section 8 (a) of the Employees' Provident Fund and Family Pension Fund Act. There is great force in the contention that the statutory employer is bound to make deductions from the Contractor's remuneration of contract workers and that does not imply an admission that the workers engaged by the Contractor are those of the principal employer. So this circumstance also cannot decide the conflict.

11. Ext. M1 shows that the Contractor himself had to provide necessary labour and transport facilities. As per the contract he had the right to choose his own workmen. But there were workmen who were already doing the work under the previous Contractors. It is in evidence that the previous Contractors used to settle disputes with the workmen engaged for

this work regarding matters concerning the employment. Ext. M4 is one such settlement of 1971 between the workmen and the then Contractor. It is admitted in the written statement of the Second Management that there was a settlement between himself and the workmen regarding the terms of employment on 7-3-1974. Ext. M1 is executed only on 8-3-1974. That means that the contract itself was concluded only after the Second Management settled the terms of employment with the workmen previously. So the contention of the Second Management in its written statement and the testimony of Shri Haneef, the Contractor, as MW2 that he entered into the contract under the bonafide belief that he could employ his own workmen and the attempt to get the work done through such workmen was prevented by the previous workers and he was compelled by the First Management and the workmen to continue to employ them cannot be accepted as true. The settlement dated 7-3-1974 between the Second Management and the workmen is not produced by either of them before this Court. No satisfactory reasons are stated for the non-production of the same. The normal inference that could be drawn is that the document if produced will go against the stand taken up by the workmen and the Second Management. In this connection Ext. M5 letter written by the Union to the Second Management with copy to the First Management on 16-5-1975 gains importance. That was issued at a time when Ext. M2 termination of the contract was issued by the First Management. The subject matter of Ext. M5 was the proposed termination of the contract and the consequence of the workers loosing their job. Ext. M5 shows that the Contractor had issued notice of termination of the services of the workmen. Reference is made in it to the long term agreement between the workmen and the Contractor. The demand made therein is for withdrawal of the termination notice issued to the workmen by the Contractor. The copy was issued to the First Management with a request to stop all payments to the Con ractor Shri Haneef until the workmen's case is settled. The letter does not say that the First Management was the employer of the workmen. On the other hand it proceeds on the basis that the workmen were employees of the Contractor. Even in the claim statement the Union treats the Contractor as the employer and reliefs are claimed against him though not in unambiguous terms.

12. There is a dispute as to whether these workmen had continuous and uniform work on all days. According to the First Management the work was not steady. It was essentially intermittent depending upon the orders placed by the Indian Oil Corporation and the availability of wagons and lorries. What is stated by the First Management is that the work was carried on only on certain days. There is no document in support of the claim of the Union that there was regular and uniform work. But the terms of Ext. M4 settlement indicate that the work was not steady and uniform. That settlement states that the work had to be carried out according to the availability from 8 a.m. to 9 p.m. That is an indication to infer that it was not some sort of regular work for specified hours. It was not time-rated wages that were paid to the workmen. It was piece rate.

13. The question now is as to whether these workmen are employees of the First Management or the Contractor the Second Management. Reliance is placed by the Second Management and the Union on a series of decisions in support of the stand taken up by them that the First Management is the employer. The pronouncement of the Supreme Court in Royal Talkies v. E S I. Corporation (1978 II L. L. J. 390) cannot apply to the facts of the present case as it relates to the interpretation and application of S. 2 (9) of the Employers' State Insurance Act. Hussainbhai v. Alath Factory Thozhilali Union (1978 II L. L. J. 397) wherein the workers employed through Contractor for manufacturing ropes were held to be workmen of the principal employers, cannot also be accepted and applied to the facts of the present case as the workmen here were not really engaged in any way with the manufacture of the product and the contract system employed as a dubious method in an attempt to evade responsibilities of the principal employer as the real employer. Same is the position with D. C. Dewan Mohideen Sahib & Sons v. United Bidi Workers' Union (1964 II L. L. J. 633) and Ekambaranatha Chettiar v. Inspector of Factories (1966 II L. L. J. 3). Saraspur Mills Co. Ltd. v. Ramanlal Chimanlal (1973 Labour and Industrial Cases 1040) is another decision where the employees of a canteen run by a Co-operative Society were held to be the employees of the Mill for the reason that it was obligatory for the Mill to have a canteen for the workmen. That case also cannot help us in any way.

14. The workmen with whom we are concerned were never engaged in any manufacturing process which is the integral part of Production of the First Management. They were engaged only for loading and unloading of the finished product. The nature of the work was necessarily intermittent and as it turned out the very work became extinct in due course. In these state of affairs it cannot be said that the workers were employees of the First Management. The workers did not consider themselves as employees of the First Management till the dispute arose. In these state of affairs I have no hesitation to hold that the workers were employees of the Second Management, the Contractor and that the First Management was never their employer.

15. These workers had put in service under various Contractors. They are seen to have entered into long term settlements with the individual Contractors regarding the conditions of service. The previous Contractors are not made parties to the reference. The Second Management employed these workmen only for 14 months. The Second Management admittedly had issued termination notice as could be seen from Ext. M5 The notice is not produced before me. The validity of that termination as such is not challenged before me. So it is not possible for me to say that there was illegal termination on the part of the Second Management. In these state of affairs no reliefs can be granted against the Second Management also. In view of the admitted facts there is no denial of employment as mentioned

in the reference. There is only an admitted termination. In the result an award is passed holding that there was no unlawful termination of the services of the workmen. The workmen, therefore, are not entitled to wages or other reliefs.

Ernakulam,
29-4-1982.

N. SUKUMARAN,
Presiding Officer.

Appendix

Witnesses examined on the Union's side:

WW1. Shri T. P. Rajan
WW2. „ K. V. Damodharan

Witnesses examined on the Management's side:

MW1. Shri R. K. Nair
MW2. „ E. M. Haneef

Exhibits marked on the Union's side:

Ext. W1. Gate pass No. 6783 issued to Shri T. P. Rajan.
„ W2. Provident Fund application and nomination form duly filled by Shri T. P. Rajan.
„ W3. Declaration form of Shri T. P. Rajan under the Employees' Family Pension Scheme.

Exhibits marked on the Management's side:

Ext. M1. Copy of agreement dated 8-3-1974 executed between Cochin Refineries Limited and Shri E. M. Haneef.
„ M2. Copy of a letter dated 7-5-1975 issued to Shri E. M. Haneef from Cochin Refineries Limited terminating the agreement dated 8-3-1974.
„ M3. A letter dated 9-10-1974 from Shri E. M. Haneef to the Materials Manager, Cochin Refineries Limited.
„ M4. Copy of Memorandum of Settlement dated 14-8-1971 entered into between Shri T. V. Aravindaksha Panicker and Cochin Refinery Contract Workers Union.
„ M5. Copy of a letter dated 16-5-1975 from the Union to Shri E. M. Haneef.

Kerala Gazette No. 32 dated 10th August 1982.
PART I

GOVERNMENT OF KERALA

Labour (A) Department

NOTIFICATION

G.O. (Rt.) No. 673/82/LBR. *Dated, Trivandrum, 25th June 1982.*

The award of the Labour Court, Ernakulam in respect of the dispute between the Manager, Glenmary Estate, Peermade and the workmen of the above Estate represented by the General Secretary, High Range Plantation Employees Union, Elappara P.O. received by Government on 19-6-1982 is hereby published under section 17 of the Industrial Disputes Act, 1947 (Central Act XIV of 1947).

By order of the Governor,
K. SIVADASAN,
Deputy Secretary to Government.

In the Labour Court, Ernakulam

Dated this the 16th day of June, 1982

Present:

SHRI N. SUKUMARAN, B. SC., B. L.,
Presiding Officer

In

INDUSTRIAL DISPUTE No. 10 OF 1981

Between

The Manager, Glenmary Estate, Peermade

And

The workmen of the above Estate represented by the General Secretary, High Range Plantation Employees Union, Elappara P. O.,

Representation:

M/s Joseph & Markos,
Advocates,
Kottayam. } For *Management*

G.A. 117/L.

AWARD

Validity of the dismissal of three employees is the issue referred for adjudication by Government as per G.O. (Rt.) No. 256/81/LBR dated 23-2-1981.

2. Pleadings have been advanced on either side. The Management is justifying its action while the Union is attacking the same. The case came up for evidence on the above pleadings. At that stage it was reported by both sides that the matter has since been settled out of court between the parties amicably. A petition to that effect is also filed. That is signed by the Management and the General Secretary of the Union. In view of the settlement it is unnecessary to proceed with the adjudication. Actually there is no subsisting industrial dispute to be resolved. In the result an award is passed holding that there is no subsisting industrial dispute available for adjudication.

Ernakulam,
16-6-1982.

N. SUKUMARAN,
Presiding Officer.

GOVERNMENT OF KERALA

Law (Legislation-Publication) Department

NOTIFICATION

No. 16940/Leg. Pbn. 2/81/Law. *Dated, Trivandrum,* 16*th November* 1981

The following Act of Parliament, published in a Gazette of India Extraordinary, Part II, Section 1, dated the 29th September, 1981 is hereby republished for general information. The Bill as passed by the Houses of Parliament received the assent of the President on the 28th September 1981.

By order of the Governor,

K. VISWANATHAN NAIR,

Special Secretary (Law).

THE MARITIME ZONES OF INDIA (REGULATION OF FISHING BY FOREIGN VESSELS) ACT, 1981

(42 of 1981)

Arrangement of Sections

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THE MARITIME ZONES OF INDIA (REGULATION OF FISHIN
BY FOREIGN VESSELS) ACT, 1981

[AN
ACT]

to provide for the regulation of fishing by foreign vessels in certain maritime zones of India and for matters connected therewith

Be it enacted by Parliament in the Thirty-second Year of the Republic of India as follows :—

CHAPTER I

PRELIMINARY

1. *Short title and commencement.*—(1) This Act may be called the Maritime Zones of India (Regulation of Fishing by Foreign Vessels) Act, 1981.

CLAUSES

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint :

Provided that different dates may be appointed for different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.

2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) "exclusive economic zone of India" means the exclusive economic zone of India in accordance with the provisions of section 7 of the Territorial Waters, Continental Shelf, Exclusive Economic Zone and other Maritime Zones Act, 1976 (80 of 1976) ;

(b) "fish" means any aquatic animal, whether piscine or not, and includes shell fish, crustacean, molluscs, turtle (*chelonia*), aquatic mammal (the young, fry, eggs and spawn thereof), *holthurians*, coelenterates, sea weed, coral (*Porifera*) and any other aquatic life ;

(c) "fishing means catching, taking, killing, attracting or pursuing fish by any method and includes the processing, preserving, transferring, receiving and transporting of fish;

(d) "foreign vessel" means any vessel other than an Indian vessel;

(e) "Indian vessel" means—

(I) a vessel owned by Government or by a corporation established by a Central Act or a Provincial or State Act, or

(II) a vessel—

(i) which is owned wholly by persons to each of whom any of the following descriptions applies :—

(1) a citizen of India;

(2) a company in which not less than sixty per cent of the share capital is held by citizens of India;

(3) a registered co-operative society every member whereof is a citizen of India or where any other co-operative society is a member thereof, every individual who is a member of such other co-operative society is a citizen of India; and

(ii) which is registered under the Merchant Shipping Act, 1958 (44 of 1958), or under any other Central Act or any Provincial or State Act.

Explanation.—For the purposes of this clause, "registered co-operative society" means a society registered or deemed to be registered under the Co-operative Societies Act, 1912 (2 of 1912), or any other law relating to co-operative societies for the time being in force in any State;

(f) "licence" means a licence granted under section 4 ;

(g) "maritime zones of India" means the territorial waters of India or the exclusive economic zone of India ;

(h) "master", in relation to a vessel, means the person for the time being having command or charge of the vessel;

(i) "owner", in relation to a vessel, includes any association of persons, whether incorporated or not, by whom the vessel is owned or chartered;

(j) "permit" means a permit granted or deemed to have been granted under section 5;

(k) "prescribed" means prescribed by rules made under this Act;

(l) "processing", in relation to fishing, includes cleaning, beheading filleting, shelling, peeling, icing, freezing, canning, salting, smoking, cooking, pickling drying and otherwise preparing or preserving fish by any other method;

(m) "specified ports" means such ports as the Central Government may, by notification in the Official Gazette, specify for the purposes of this Act;

(n) "territorial waters of India" means the territorial waters of India in accordance with the provisions of section 3 of the Territorial Waters, Continental Shelf, Exclusive Economic Zone and other Maritime Zones Act, 1976 (80 of 1976);

(o) "vessel" includes any ship, boat, sailing vessel or other description of vessel.

CHAPTER II

REGULATION OF FISHING BY FOREIGN VESSELS

3. *Prohibition of fishing in maritime zones of India by foreign vessels.*— Subject to the provisions of this Act, no foreign vessel shall, except under and in accordance with—

(a) a licence granted under section 4; or

(b) a permit granted under section 5,

by the Central Government, be used for fishing within any maritime zone of India.

4. *Grant of licences.*— (1) The owner of a foreign vessel or any other person [not being in either case any person to whom any of the descriptions specified in sub-items (1) to (3) of item (i) of sub-clause (II) of clause (e) of section 2 applies] who intends to use such vessel for fishing within any maritime zone of India, may make an application to the Central Government for the grant of a licence.

(2) Every application under subsection (1) shall be in such form and shall be accompanied by such fees as may be prescribed.

(3) No licence shall be granted unless the Central Government, having regard to such matters as may be prescribed in the public interest in this behalf and after making such inquiry in respect of such other matters as may be relevant, is satisfied that the licence may be granted.

(4) Every order granting or rejecting an application for the issue of a licence shall be in writing.

(5) A licence granted under this section—

(a) shall be in such form as may be prescribed;

(b) shall be valid for such areas, for such period, for such method of fishing and for such purposes as may be specified therein;

(c) may be renewed from time to time; and

(d) shall be subject to such conditions and restrictions as may be prescribed and to such additional conditions and restrictions as may be specified therein.

(6) A person holding a licence under this section shall ensure that every person employed by him complies, in the course of such employment with the provisions of this Act or any rule or order made thereunder and the conditions of such licence.

5. *Prohibition of fishing by Indian citizens etc. using foreign vessels*—(1) Every Indian citizen and every person to whom any of the descriptions specified in sub-item (2) or (4) of item (i) of sub-clause (II) of clause (e) of section 2 applies, who intends to use any foreign vessel for fishing within any maritime zone of India, may make an application to the Central Government for a permit to use such vessel for such purpose.

(2) Every application under subsection (1) shall be made in such form and shall be accompanied by such fees as may be prescribed.

(3) No permit shall be granted unless the Central Government having regard to such matters as may be prescribed in the public interest in this behalf and after making such inquiry in respect of such other matters as may be relevant, is satisfied that the permit may be granted.

(4) Every order granting or rejecting an application for the grant of such permit shall be in writing.

(5) A permit granted under this section—

(a) shall be in such form as may be prescribed;

(b) shall be valid for such areas, for such period, for such method of fishing and for such purposes as may be specified therein;

(c) may be renewed from time to time; and

(d) shall be subject to such conditions and restrictions as may be prescribed and to such additional conditions and restrictions as may be specified therein.

(6) A person holding a permit under this section shall ensure that every person employed by him complies, in the course of such employment, with the provisions of this Act or any rule or order made thereunder and the conditions of such permit.

(7) Notwithstanding anything contained in the foregoing provisions of this section, or in section 3, any permission granted to an Indian citizen to use or employ foreign fishing vessels in any maritime zone of

India and in force immediately before the commencement of this Act shall, if the terms and conditions of such permission are not inconsistent with the provisions of this Act, be deemed to be a permit granted under this section and such permission shall continue to be in force after such commencement on the same terms and conditions, including the conditions as to the area of operation and the period of its validity, and the provisions of this Act shall, so far as may be, apply to such permission.

6. *Cancellation or suspension of licence or permit.*—(1) The Central Government may, if there is any reasonable cause to believe that the holder of any licence or permit has made any statement in, or in relation to, any application for the grant or renewal of such licence or permit which is incorrect or false in material particulars or has contravened any of the provisions of this Act or any rule or order made thereunder or of the provisions of any licence or permit or any conditions or restrictions specified therein, suspend such licence or permit, as the case may be, pending the completion of any inquiry against such holder for making such incorrect or false statement or for such contravention, as the case may be.

(2) Where the Central Government is satisfied, after making such inquiry as is necessary, that the holder of any licence or permit has made such incorrect or false statement as is referred to in sub-section (1) or has contravened the provisions of this Act, rule or order made thereunder or of the provisions of any licence or permit or any conditions or restrictions specified therein, it may, without prejudice to any other penalty to which such holder may be liable under the provisions of this Act, cancel such licence or permit, as the case may be.

(3) Every person whose licence or permit has been suspended under sub-section (1) shall, immediately after such suspension, stop using the foreign fishing vessel in respect of which such licence or permit is given and shall not resume such fishing until the order of suspension has been revoked.

(4) Every holder of a licence or permit which is suspended or cancelled shall, immediately after such suspension or cancellation, surrender such licence or permit, as the case may be, to the Central Government.

7. *Foreign vessel entering maritime zones of India without licence or permit to stow gear.*—Where any foreign vessel enters any maritime zone of India without a valid licence or permit granted under this Act, the fishing gear, if any, of such vessel shall, at all times while it is in such zone, be kept stowed in the prescribed manner.

8. *Fishing for scientific research, investigation, etc.*—Notwithstanding anything contained in section 3, the Central Government may, in writing, permit a foreign vessel to be used for fishing within any maritime zone of India for the purpose of carrying out any scientific research or investigation or for any experimental fishing in accordance with such terms and conditions as may be prescribed.

CHAPTER III

POWERS OF SEARCH AND SEIZURE

9. *Authorised officers and their powers.*—(1) Any officer of the Coast Guard constituted under the Coast Guard Act, 1978, (30 of 1978) or such other officer of Government as may be authorised by the Central Government may, for the purpose of ascertaining whether or not the requirements of this Act have been complied with, either with or without a warrant,—

(a) stop or board a foreign vessel in any maritime zone of India and search such vessel for fish and for equipment used or capable of being used for fishing;

(b) require the master of such vessel to produce—

(i) any licence, permit, log book or other document relating to the vessel and examine or take copies of such licence, permit, log book or document;

(ii) any catch, net, fishing gear or other equipment on board such vessel or belonging to the vessel and examine such fish, net, gear or equipment;

(c) make such inquiries as may be necessary to ascertain whether any offence under this Act has been committed.

(2) Where the officer referred to in subsection (1) (hereinafter referred to as authorised officer) has reason to believe that any foreign vessel has been, is being, or is about to be, used for committing an offence under this Act, he may, with or without a warrant,—

(a) seize and detain such vessel, including any fishing gear, fish, equipment, stores or cargo found on board such vessel or belonging to the vessel, and seize and detain any fishing gear abandoned by the vessel;

(b) require the master of the vessel so seized or detained to bring such vessel to any specified port;

(c) arrest any person who, such officer has reason to believe, has committed such an offence.

(3) In taking any action under subsection (2), the authorised officer may use such force as may be reasonably necessary.

(4) Where any vessel or other things are seized, or any person has been arrested, under subsection (2),—

(a) the vessel or other things so seized shall, as soon as possible, be produced before a Magistrate competent to try an offence under this Act who shall make such order as he may deem fit for the retention or custody of such vessel or things with Government or with any other authority pending the completion of any proceedings for the prosecution of any offence under this Act or for its use by such authority during such retention or custody on such terms and conditions as the Magistrate may think fit to impose:

Provided that the Magistrate may, on an application made by the owner or master of such vessel in the prescribed form, order the release of the vessel or other things so seized on the owner or master furnishing security in the form of cash or a bank guarantee for an amount not less than fifty per cent, of the value of the vessel or things so seized:

Provided further that where any fish so seized is subject to deterioration, the Magistrate may authorise the sale of such fish and the depositing of the proceeds of such sale in Court:

(b) the arrested person shall, as soon as possible, be informed of the grounds for such arrest and he shall, without unnecessary delay, be produced before such Magistrate; and

(c) the Central Government shall be informed of such seizure or arrest and the details thereof.

(5) Where, in pursuance of the commission of any offence under this Act, any foreign vessel is pursued beyond the limits of the exclusive economic zone of India, the powers conferred on an authorised officer by this section may be exercised beyond such limits in the circumstances and to the extent recognised by international law and State practice.

CHAPTER IV

Offences and Penalties

10. *Penalty for contravention of section* 3.—Where any foreign vessel is used in contravention of the provisions of section 3, the owner or master of such vessel shall,—

(a) in a case where such contravention takes place in any area within the territorial waters of India, be punishable with imprisonment for a term not exceeding three years or with fine not exceeding rupees fifteen lakhs or with both; and

(b) in a case where such contravention takes place in any area within the exclusive economic zone of India, be punishable with fine not exceeding rupees ten lakhs.

11. *Penalty for contravention of licence.*—Whoever contravenes the provisions of any licence shall be punishable with fine not exceeding rupees ten lakhs.

12. *Penalty for contravention of permit.*—Whoever contravenes the provisions of any permit shall be punishable,—

(a) where such contravention relates to the area of operation or method of fishing specified in such permit, with fine not exceeding rupees five lakhs; and

(b) in any other case, with fine not exceeding rupees fifty thousand.

13. *Confiscation of vessels, etc.*—(1) Where any person is convicted of an offence under section 10 or section 11 or section 12, the foreign vessel used in or in connection with the commission of the said offence, together with its fishing gear, equipment, stores and cargo and any fish on board such ship or the proceeds of the sale of any fish ordered to be sold under the second proviso to clause (a) of subsection (4) of section 9 shall also be liable to confiscation.

(2) The foreign vessel or other things confiscated under subsection (1) shall vest in the Central Government.

14. *Penalty for contravention of section 7.*—Where any foreign vessel is found in any maritime zone of India in contravention of the provisions of section 7, the owner or master of such vessel shall be punishable with fine not exceeding rupees five lakhs.

15 *Penalty for obstruction of authorised officers.*—If any person—

(a) intentionally obstructs any authorised officer in the exercise of any powers conferred under this Act; or

(b) fails to afford reasonable facilities to the authorised officer or his assistants to board the vessel or to provide for adequate security to such officer and assistants at the time of entry into the vessel or when they are on board such vessel; or

(c) fails to stop the vessel or produce the licence, permit, log - book or other document or any fish, net, fishing gear or other equipment on board such vessel, when required to do so by the authorised officer,

he shall be punishable with imprisonment for a term which may extend to one year or with fine not exceeding rupees fifty thousand or with both.

16 *Court to pass certain orders.*—Where any person is convicted of an offence under this Act, the Court may, in addition to awarding any punishment, order that any costs incurred in connection with the retention or custody of the vessel during the pendency of any proceedings for the prosecution of an offence under this Act, as reduced by the amount, if any, realised out of the use of the vessel by the authority with whom such vessel was retained or kept in custody, shall be payable by the person convicted.

17. *Offences by companies.*—(1) Where an offence under this Act has been committed by a company, every person who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this subsection shall render any such person liable to any such punishment provided in this Act if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in subsection (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(a) "company" means a body corporate and includes a firm or other association of individuals; and

(b) "director", in relation to a firm, means a partner in the firm.

CHAPTER V

Miscellaneous

18 *Offences to be cognizable.*—Notwithstanding anying contained in the Code of Criminal Procedure, 1973 (2 of 1974) every offence punishable under this Act shall be cognizable.

19. *Cognizance and trial of offences.*—(1) No Court shall take cognizance of any offence punishable under this Act except on a report in writing of the facts constituting such offence made by an authorised officer.

(2) No Court inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the first class shall try any offence under this Act.

20. *Magistrate's power to impose enhanced penalties.*· Notwithstanding anything contained in section 29 of the Code of Criminal Procedure, 1973, (2 of 1974) it shall be lawful for any Metropolitan Magistrate or any Judicial Magistrate of the first class specially empowered by the State Government in this behalf to pass any sentence authorised by this Act.

21. *Place of trial.*—Any person committing an offence under this Act or any rules made thereunder may be tried for the offence in such place as the Central Government may, by general or special order, published in the Official Gazette, direct in this behalf.

22 *Presumptions.*—(1) Where any offence is alleged to have been commmitted under the provisions of this Act, the place of commission of such offence shall be presumed on the basis of the certified copy of the relevant entry in the log-book or other official record of the vessel or aircraft which was used in connection with the detection of the offence.

(2) Where any foreign vessel is found within any maritime zone of India and the fishing gear of such vessel is not stowed in the prescribed manner or fish is found on board such vessel, it shall be presumed, unless the contrary is proved, that the said vessel was used for fishing within that zone.

23. *Protection of action taken in good faith.*—(1) No suit, prosecution or other legal proceeding shall lie against any person for anything which is in good faith done or intended to be done in pursuance of the provisions of this Act.

(2) No suit or other legal proceeding shall lie against the Government for any damage caused or likely to be caused for anything which is in good faith done or intended to be done in pursuance of the provisions of this Act.

24. *Act to supplement other laws.*—The provisions of this Act shall be in addition to and not in derogation of the provisions of any other law for the time being in force.

25. *Power to make rules.*—(1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) the form in which an application for a licences or permit may be made and the fees that shall accompany such application;

(b) the matters which may be taken into account in the granting of lciences and permits;

(c) the form of licences and permits and the conditions and restrictions subject to which licences and permits may be granted;

(d) the manner in which the fishing gear of a foreign vessel shall be kept stowed under section 7;

(e) the terms and conditions under which a foreign vessel may be permitted to be used for fishing within any maritime zone of India for the purpose of carrying out any scientific research or investigation or for any experimental fishing under section 8;

(f) the form in which an application may be made for releasing the vessel or other things seized under the first proviso to clause (a) of sub-section (4) of section 9;

(g) any other matter which is required to be, or may be, prescribed.

(3) In making any rule under this section, the Central Government may provide that a contravention thereof shall be punishable with fine which may extend to fifty thousand rupees.

(4) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter

have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

26. *Removal of difficulties.*—(1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act as may appear to it to be necessary for removing the difficulty:

Provided that no order shall be made under this section after the expiry of three years from the commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

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GOVERNMENT OF KERALA

Irrigation & Rehabilitation (D) Department

NOTIFICATION

No.8492/D1/82/I&R. *Dated, Trivandrum,* 15*th July* 1982.

The Notification No. I (9)/Spl. Cell/82-SS. II.(B) dated the 11th June 1982 of Government of India, Ministry of Supply and Rehabilitation (Department of Rehabilitation) is hereby republished for general information.

By order of the Governor,
O. P. R. Menon,
Deputy Secretary to Government,

Government of India

Ministry of Supply & Rehabilitation

(Department of Rehabilitation)

Jaisalmer House, Mansingh Road,
New Delhi, the 11*th June* 1982.

Notification

S. O........In exercise of the powers conferred by subsection (1) of section 3 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints Shri S. L. Mediratta, Deputy Secretary in the Department of Rehabilitation as Joint Chief Settlement Commissioner for the purpose of performing the functions assigned to such Joint Chief Settlement Commissioner by or under the said Act.

[No I (9)/Spl. Cell/82-SS.II (B)]

N. M. Wadhwani,
Under Secretary to Government of India.

Kerala Gazette No. 32 dated 10th August 1982.
PART I

Section iii

കേരള സർക്കാർ

നിയമ (നിയമ നിർമ്മാണം-എ) വകുപ്പ്

വിജ്ഞാപനം

നമ്പർ. 10477/ലെഗ്-(എ) 2/81/ലാ. തിരുവനന്തപുരം, 1981 സെപ്റ്റംബർ 24/ 1903 ആശ്വിനം 2.

കേരള സംസ്ഥാന നിയമസഭയുടെ താഴെ പറയുന്ന ആക്റ്റ് പൊതുജനങ്ങളുടെ അറിവിനായി ഇതിനാൽ പ്രസിദ്ധപ്പെടുത്തുന്നു. നിയമസഭ പാസാക്കിയ പ്രകാരമുള്ള ബില്ലിന് 1981 സെപ്റ്റംബർ 23-ാം തീയതി ഗവർണ്ണറുടെ അനുമതി ലഭിച്ചു.

ഗവർണ്ണറുടെ ഉത്തരവുപ്രകാരം,
കെ. വിശ്വനാഥൻ നായർ,
സ്പെഷ്യൽ സെക്രട്ടറി (ലാ).

1981-ലെ 26-ാം ആക്റ്റ്

1981-ലെ കാർഷികാദായ നികുതി (ഭേദഗതി) ആക്റ്റ്

1950-ലെ കാർഷികാദായ നികുതി ആക്റ്റ് വീണ്ടും ഭേദഗതിചെയ്യുന്നതിനുള്ള ഒരു ആക്റ്റ്.

പീഠിക.—1950-ലെ കാർഷികാദായ നികുതി ആക്റ്റ് താഴെ പറയുന്ന ആവശ്യങ്ങൾക്കുവേണ്ടി വീണ്ടും ഭേദഗതി ചെയ്യേണ്ടത് ആവശ്യമാകയാൽ ;

ഇൻഡ്യൻ റിപ്പബ്ലിക്കിന്റെ മുപ്പത്തിരണ്ടാം സംവൽസരത്തിൽ താഴെപറയും പ്രകാരം നിയമമുണ്ടാക്കുന്നു.

1. ചുരുക്കപ്പേരും പ്രാരംഭവും.—(1) ഈ ആക്റ്റിന് 1981-ലെ കാർഷികാദായ നികുതി (ഭേദഗതി) ആക്റ്റ് എന്ന് പേർ പറയാം.

(2) ഈ ആക്റ്റിന്റെ 4-ാം വകുപ്പ് 1982 ഏപ്രിൽ 1-ാം തീയതി പ്രാബല്യത്തിൽ വരുന്നതും ബാക്കിയുള്ള വ്യവസ്ഥകൾ 1981 ഏപ്രിൽ 1-ാം തീയതി പ്രാബല്യത്തിൽ വന്നതായി കരുതേണ്ടതുമാകുന്നു.

2. 4-ാം വകുപ്പിന്റെ ഭേദഗതി.—(1) 1950-ലെ കാർഷികാദായ നികുതി (1950-ലെ XXII) (ഇതിനുശേഷം പ്രധാന ആക്റ്റ് എന്നാണ് പരാമർശിക്കപ്പെടുക) 4-ാം വകുപ്പിൽ—

(എ) (1)-ാം ഉപവകുപ്പിൽ,—

(1) (എ) എന്ന ഖണ്ഡത്തിനുശേഷം താഴെപറയുന്ന ഖണ്ഡം ചേർക്കണം.—അതായത്

"(എഎ) നെല്ല്, മരച്ചീനി, വാഴ, ഇഞ്ചി, കൂവരക്, പയറുവർഗ്ഗങ്ങൾ, എള്ള്, പച്ചക്കറികൾ, മധുരക്കിഴങ്ങ്, കിഴങ്ങുവർഗ്ഗങ്ങൾ ഇവയുടെ കൃഷിയിൽ നിന്നും ലഭിക്കുന്ന ഏതെങ്കിലും കാർഷികാദായം ;"

(II) (ബി) (സി) എന്നീ ഖണ്ഡങ്ങൾക്കുപകരം താഴെപറയുന്ന ഖണ്ഡങ്ങളും വിശദീകരണവും ചേർക്കണം, അതായത്,

"(ബി) പൂർണ്ണമായും ദാനധർമ്മങ്ങൾക്കും മതപരവും ആയ ആവശ്യങ്ങൾക്കായി ട്രസ്റ്റുപ്രകാരം കൈവശം വച്ചിട്ടുള്ള വസ്തുക്കളിൽ നിന്നും ലഭിക്കുന്ന ഏതെങ്കിലും കാർഷികാദായം സംസ്ഥാനത്ത് അങ്ങനെയുള്ള ആവശ്യങ്ങൾക്കായി അപ്രകാരം ഉപയോഗിക്കുന്നിടത്തോളവും, അപ്രകാരമുള്ള എന്തെങ്കിലും ആദായം കൂട്ടിവച്ചിട്ടുണ്ടെങ്കിലോ അഥവാ സംസ്ഥാനത്തു മേൽപ്രകാരമുള്ള ആവശ്യങ്ങൾക്കായി മാററിവച്ചിട്ടുണ്ടെങ്കിലോ അപ്രകാരം കൂട്ടിവച്ചിട്ടുള്ളതോ അഥവാ മാററിവച്ചിട്ടുള്ളതോ ആയ ആദായം പ്രസ്തുത വസ്തുക്കളിൽ നിന്നുള്ള കാർഷികാദായത്തിന്റെ ഇരുപത്തഞ്ചു ശതമാനത്തിൽ കവിയുന്നില്ലെങ്കിൽ അത്രയും ആദായവും ;

(സി) ഭാഗികമായിമാത്രം അങ്ങനെയുള്ള ആവശ്യങ്ങൾക്കായി ട്രസ്റ്റുപ്രകാരം കൈവശം വച്ചിട്ടുള്ള വസ്തുക്കളിൽ നിന്നും ലഭിക്കുന്ന ഏതെങ്കിലും കാർഷികാദായത്തിന് ഈ സംസ്ഥാനത്തു അപ്രകാരമുള്ള ആവശ്യങ്ങൾക്കായി ഉപയോഗിക്കുന്ന അത്രയും ആദായവും അപ്രകാരമുള്ള ഏതെങ്കിലും ആദായം ഈ സംസ്ഥാനത്ത് മേൽപ്രകാരമുള്ള ആവശ്യങ്ങളുടെ ഉപയോഗത്തിനായി അവസാനമായി മാററി വച്ചിട്ടുണ്ടെങ്കിൽ അപ്രകാരം മാററിവച്ചിട്ടുള്ള ആദായം പ്രസ്തുത വസ്തുക്കളിൽ നിന്നുള്ള കാർഷികാദായത്തിന്റെ ഇരുപത്തഞ്ചു ശതമാനത്തിൽ കവിയുന്നില്ലെങ്കിൽ അത്രയും ആദായവും.

<u>വിശദീകരണം</u>.—(ബി) (സി) എന്നീ ഖണ്ഡങ്ങളുടെ ആവശ്യങ്ങൾക്കായി—

(I) ആ വർഷത്തിൽ കാർഷികാദായം മുഴുവനുമായോ ഭാഗികമായോ ലഭിച്ചിരുന്നില്ലായെന്ന കാരണത്താലോ, അല്ലെങ്കിൽ

(II) മറെറന്തെങ്കിലും കാരണത്താലോ, മുൻ വർഷം ദാനധർമ്മ സംബന്ധമായും മതപരമായും ഉള്ള ആവശ്യങ്ങൾക്കായി സംസ്ഥാനത്തു ചിലവഴിച്ച കാർഷികാദായം അതതു സംഗതിപോലെ ട്രസ്റ്റുപ്രകാരം കൈവശം വച്ചിരിക്കുന്ന വസ്തുക്കളിൽ നിന്നോ അഥവാ ട്രസ്റ്റുപ്രകാരം ഭാഗികമായി കൈവശം വച്ചിരിക്കുന്ന വസ്തുക്കളിൽ നിന്നോ ആ വർഷത്തിൽ ലഭിച്ച കാർഷികാദായത്തിന്റെ എഴുപത്തഞ്ചു ശതമാനത്തിൽ ഏതെങ്കിലും തുകയ്ക്ക് കുറയുകയാണെങ്കിൽ—

(എ) (I)-ാം ഖണ്ഡത്തിൽ സൂചിപ്പിച്ച സംഗതിയിൽ കാർഷികാദായം ലഭിച്ച മുൻ വർഷത്തിലേയോ അല്ലെങ്കിൽ തൊട്ടുപിന്നാലെയുള്ള മുൻവർഷത്തിലെയോ മേൽപ്രകാരമുള്ള ആവശ്യങ്ങൾക്കായി സംസ്ഥാനത്തു ചിലവഴിച്ച അത്രയും കാർഷികാദായം പ്രസ്തുത തുകയിൽ കവിയുന്നില്ലെങ്കിലും,

(ബി) (II)-ാം ഖണ്ഡത്തിൽ സൂചിപ്പിച്ച സംഗതിയിൽ, കാർഷികാദായം ലഭിച്ച മുൻ വർഷത്തിന് തൊട്ടുപിന്നാലെയുള്ള മുൻ വർഷത്തിലെ മേൽപ്രകാരമുള്ള ആവശ്യങ്ങൾക്കായി സംസ്ഥാനത്തു ചിലവഴിച്ച അത്രയും കാർഷികാദായം പ്രസ്തുത തുകയിൽ കവിയുന്നില്ലെങ്കിലും, കാർഷികാദായം ലഭിക്കുന്ന വ്യക്തിയുടെ ഹിതാനുസരണം [17-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പോ (2)-ാം ഉപവകുപ്പോ പ്രകാരം കാർഷികാദായത്തിന്റെ റിട്ടേൺ സമർപ്പിക്കാനായി നേരത്തെ നിശ്ചയിച്ചിട്ടുള്ളതോ അഥവാ നീട്ടി

വയ്ക്കപ്പെട്ടതോ ആയ സമയം അവസാനിക്കുന്നതിനുമുമ്പായി അങ്ങനെയുള്ള ഹിതാഹിതാരേഖാമൂലം വിനിയോഗിച്ചിരിക്കേണ്ടതാണ്.] കാർഷികാദായം ലഭിച്ച മുൻ വർഷത്തിന് മേൽപ്പറഞ്ഞ ആവശ്യങ്ങൾക്കായി ഉപയോഗിച്ച കാർഷികാദായമായി കണക്കാക്കാവുന്നതും അപ്രകാരം ചിലവാക്കപ്പെട്ടതായി കണക്കാക്കപ്പെടുന്ന കാർഷികാദായം (I)-ാം ഖണ്ഡത്തിൽ സൂചിപ്പിച്ചിട്ടുള്ള സംഗതികളിൽ അപ്രകാരമുള്ള ആവശ്യങ്ങൾക്കായി ഉപയോഗിച്ച കാർഷികാദായത്തുക അതതു സംഗതിപോലെ കാർഷികാദായം ലഭിച്ച മുൻവർഷത്തിലോ അഥവാ മുൻവർഷത്തിന് തൊട്ടുപിന്നാലെ വരുന്ന വർഷത്തിലോ (II)-ാം ഖണ്ഡത്തിൽ സൂചിപ്പിച്ചിട്ടുള്ള സംഗതി കാർഷികാദായം ലഭിച്ച മുൻ വർഷത്തിന് തൊട്ടു പിന്നാലെയുള്ള വർഷത്തിലോ കണക്കാക്കുമ്പോൾ പരി ഗണിക്കാവുന്നതല്ലാത്തതുമാകുന്നു.

(ബി) (I)-ാം ഉപവകുപ്പിനുശേഷം, താഴെപറയുന്ന ഉപവകുപ്പുകൾ ചേർക്കണം, അതായത് :—

"(Iഎ) (I)-ാം ഉപവകുപ്പിലെ വിശദീകരണപ്രകാരം ഹിതാഹിതം വിനിയോഗിച്ചിട്ടുള്ള ഏതെങ്കിലും കാർഷികാദായത്തെ സംബന്ധിച്ച് അതതു സംഗതിപോലെ പ്രസ്തുത വിശദീകരണത്തിലെ ഖണ്ഡം (എ) യിലോ ഖണ്ഡം (ബി) യിലോ പരാമർശിച്ചിട്ടുള്ള കാലാവധിക്കുള്ളിൽ സംസ്ഥാനത്ത് ദാനധർമ്മങ്ങൾക്കോ മതപരമോ ആയ ആവശ്യങ്ങൾക്ക് വിനിയോഗിച്ചിട്ടില്ലാത്തപക്ഷം, അപ്പോൾ അപ്രകാരമുള്ള ആദായം—

(എ) പ്രസ്തുത വിശദീകരണത്തിലെ (I)-ാം ഖണ്ഡത്തിൽ പരാമർശിച്ചിട്ടുള്ള സംഗതിയിൽ ആദായം ലഭിച്ച മുൻവർഷത്തിനു തൊട്ടു പിന്നാലെയുള്ള വർഷത്തിലെയോ, അല്ലെങ്കിൽ

(ബി) പ്രസ്തുത വിശദീകരണത്തിലെ (II)-ാം ഖണ്ഡത്തിൽ പരാമർശിച്ചിട്ടുള്ള സംഗതിയിൽ ആദായം ലഭിച്ച മുൻവർഷത്തിന് തൊട്ടു പിന്നാലെയുള്ള വർഷത്തിലെയോ,
ആ വ്യക്തിക്കു ലഭിക്കുന്ന ആദായമായി കണക്കാക്കേണ്ടതാണ്.

(Iബി) (I)-ാം ഉപവകുപ്പിലെ വിശദീകരണത്തോടു ചേർത്തു വായിച്ച പ്രകാരമുള്ള പ്രസ്തുത ഉപവകുപ്പിലെ (ബി) ഖണ്ഡത്തിലോ (സി) ഖണ്ഡത്തിലോ പരാമർശിച്ചിട്ടുള്ള കാർഷികാദായത്തിന്റെ എഴുപത്തഞ്ചു ശതമാനം മുൻവർഷത്തിൽ സംസ്ഥാനത്തു ദാനധർമ്മങ്ങൾക്കോ മതപരമോ ആയ ആവശ്യങ്ങൾക്കുവേണ്ടി ഉപയോഗിച്ചിട്ടില്ലാതിരിക്കുകയും അല്ലെങ്കിൽ ഉപയോഗിച്ചതായി കണക്കാക്കപ്പെടാതിരിക്കുകയും എന്നാൽ സംസ്ഥാനത്തു പ്രസ്തുത ആവശ്യങ്ങൾക്കായി മുഴുവനായോ ഭാഗികമായോ ശേഖരിച്ചു വയ്ക്കുകയോ മാററിവയ്ക്കുകയോ ചെയ്താൽ താഴെ പറയുന്ന വ്യവസ്ഥകൾ അനുസരിക്കുകയാണെങ്കിൽ അപ്രകാരം ശേഖരിക്കപ്പെട്ടിട്ടുള്ളതോ മാററി വയ്ക്കപ്പെട്ടിട്ടുള്ളതോ ആയ ആദായം പ്രസ്തുത ആദായം ലഭിക്കുന്ന വ്യക്തിയുടെ മുൻവർഷത്തെ മൊത്തം കാർഷികാദായത്തിൽ ചേർക്കുന്നതല്ല, അതായത് :—

(എ) കാർഷികാദായം ശേഖരിച്ചുവച്ചിട്ടുള്ളതോ മാററിവയ്ക്കപ്പെട്ടതോ എന്ത് ഉദ്ദേശത്തിനുവേണ്ടിയാണെന്നും എത്രകാലത്തേയ്ക്കാണ് കാർഷികാദായം ശേഖരിച്ചുവയ്ക്കുകയോ മാററിവയ്ക്കുകയോ ചെയ്യുന്നതെന്നും—ഇത് ഒരു സംഗതിയിലും പത്തുവർഷം കവിയാൻ പാടില്ല—നിർദ്ദിഷ്ട രീതിയിൽ കാർഷികാദായ നികുതി ഉദ്യോഗസ്ഥന് രേഖാമൂലം നോട്ടീസ് നൽകിക്കൊണ്ട് ആ വ്യക്തി വ്യക്തമാക്കുകയും ;

(ബി) അപ്രകാരം ശേഖരിച്ചതോ മാററിവച്ചതോ ആയ പണം—

(I) 1944-ലെ പൊതുകടം ആക്റ്റ് (1944-ലെ 18-ാം കേന്ദ്ര ആക്റ്റ്) 2-ാം വകുപ്പ് (2)-ാം ഖണ്ഡത്തിൽ നിർവ്വചിച്ചപ്രകാരം ഏതെങ്കിലും സർക്കാർ സെക്യൂരിററിയിലോ അല്ലെങ്കിൽ ഈ ആവശ്യത്തിനുവേണ്ടി സംസ്ഥാന സർക്കാർ അംഗീകരിച്ച മറേറതെങ്കിലും സെക്യൂരിററിയിലോ നിക്ഷേപിക്കുകയോ, അഥവാ

(II) പോസ്ററാഫീസ് സേവിംഗ്സ് ബാങ്കിൽ ഏതെങ്കിലും അക്കൗണ്ടിലോ [1970-ലെ പോസ്ററാഫീസ് (ടൈംഡെപ്പോസിററ്) ചട്ടങ്ങൾ പ്രകാരമുള്ള നിക്ഷേപങ്ങൾ ഉൾപ്പെടെ] അല്ലെങ്കിൽ ഒരു ഷെഡ്യൂൾഡ് ബാങ്കിലോ ബാങ്ക് ഇടപാടു നടത്തുന്നതിൽ ഏർപ്പെട്ടിരിക്കുന്ന ഒരു സഹകരണ സംഘത്തിലോ (ഒരു സഹകരണ ഭൂപണയബാങ്ക് ഉൾപ്പെടെയുള്ള) നിക്ഷേപിക്കുകയോ, അഥവാ

(III) 1951-ലെ സംസ്ഥാന സ്റേററ് ഫൈനാൻഷ്യൽ കോർപ്പറേഷൻ ആക്റ്റ് (1951-ലെ 63-ാം) കേന്ദ്ര ആക്റ്റ് പ്രകാരം സ്ഥാപിച്ചിട്ടുള്ള കേരള ഫൈനാൻഷ്യൽ കോർപ്പറേഷനിലെ അക്കൗണ്ടിൽ നിക്ഷേപിക്കുകയോ ചെയ്യേണ്ടതാകുന്നു.

<u>വിശദീകരണം</u>,—(II)-ാം ഉപഖണ്ഡത്തിന്റെ ആവശ്യാർത്ഥം ഷെഡ്യൂൾഡ് ബാങ്ക് എന്നാൽ 1955-ലെ ഇൻഡ്യൻ സ്റേററ് ബാങ്ക് ആക്റ്റുപ്രകാരം രൂപവൽക്കരിച്ചിട്ടുള്ള സ്റേററ് ബാങ്ക് ഓഫ് ഇൻഡ്യ 1959-ലെ സ്റേററ് ബാങ്ക് ഓഫ് ഇൻഡ്യ (സബ്സിഡിയറി ബാങ്കുകൾ) ആക്റ്റുപ്രകാരം നിർവ്വചിച്ചിട്ടുള്ള ഒരു സബ്സിഡിയറി ബാങ്ക്, 1970-ലെ ബാങ്കിംഗ് കമ്പനീസ് (സംരംഭങ്ങൾ ഏറെറടുക്കലും കൈമാററം ചെയ്യലും) ആക്റ്റ് 3-ാം വകുപ്പുപ്രകാരം രൂപവൽക്കരിക്കപ്പെട്ട ഒരു പുതിയ സമാന ബാങ്ക് അല്ലെങ്കിൽ 1934-ലെ റിസർവ് ബാങ്ക് ഓഫ് ഇൻഡ്യാ ആക്ടിന്റെ രണ്ടാം പട്ടികയിൽ ഉൾപ്പെടുത്തിയിട്ടുള്ള മറേറതെങ്കിലും ബാങ്ക് എന്ന് അർത്ഥമാകുന്നു.

(I-സി) (I-ബി) ഉപവകുപ്പിൽ പരാമർശിച്ചിട്ടുള്ള ഏതൊരു കാർഷിക ആദായവും,—

(എ) മേൽപ്പറഞ്ഞപ്രകാരം ദാനധർമ്മങ്ങൾക്കോ മതപരമോ ആയ ആവശ്യങ്ങൾക്ക് അല്ലാതെയുള്ള ആവശ്യങ്ങൾക്ക് ഉപയോഗിക്കുകയോ അല്ലെങ്കിൽ മേൽപ്രകാരമുള്ള ആവശ്യങ്ങൾക്കായി ശേഖരിച്ചതോ മാററിവയ്ക്കപ്പെട്ടതോ അല്ലാതായിത്തീരുകയോ, അഥവാ

(ബി) (I)-ാം ഉപഖണ്ഡത്തിൽ പരാമർശിച്ചപ്രകാരം ഏതെങ്കിലും സെക്യൂരിററിയിൽ നിക്ഷേപിച്ചിട്ടുള്ളവയോ അല്ലെങ്കിൽ ആ ഉപവകുപ്പിലെ (II)-ാം ഉപഖണ്ഡപ്രകാരമോ (III)-ാം ഉപഖണ്ഡപ്രകാരമോ അല്ലെങ്കിൽ (ബി) ഖണ്ഡപ്രകാരമോ സൂചിപ്പിച്ച ഏതെങ്കിലും അക്കൗണ്ടിലെ നിക്ഷേപം തുടരാൻ സാദ്ധ്യമല്ലാതായിത്തീരുകയോ, അല്ലെങ്കിൽ

(സി) പ്രസ്തുത ഉപവകുപ്പിലെ (എ) എന്ന ഉപഖണ്ഡത്തിൽ പരാമർശിച്ച കാലഘട്ടത്തിലോ അല്ലെങ്കിൽ അപ്രകാരമുള്ള കാലാവധി അവസാനിക്കുന്ന വർഷത്തിന് തൊട്ടു പിന്നാലെയുള്ള വർഷത്തിലോ ഏതാവശ്യത്തിലേക്കാണോ അപ്രകാരം ശേഖരിക്കുകയോ മാററിവയ്ക്കപ്പെടുകയോ ചെയ്തിരുന്നത് ആ ആവശ്യത്തിന് ഉപയോഗിക്കുന്നില്ലെങ്കിൽ, അപ്രകാരം അതു ഉപയോഗിച്ചതോ അല്ലെങ്കിൽ അപ്രകാരം ശേഖരിച്ചു വയ്ക്കുകയോ നീക്കി വയ്ക്കുകയോ ചെയ്തതല്ലാതായി

ത്തീരുകയോ അഥവാ അതതു സംഗതി പോലെ അപ്രകാരം നിക്ഷേപിച്ചതോ മുതൽ മുടക്കിയതോ അല്ലാതായി തീരുകയോ ചെയ്ത വർഷത്തിന്റെ മേൽപ്രകാരം പറഞ്ഞ കാലാവധി അവസാനിക്കുന്നതിനു തൊട്ടു മുമ്പുള്ള വർഷത്തെ അപ്രകാരമുള്ള വ്യക്തിയുടെ കാർഷികാദായമായി കണക്കാക്കേണ്ടതുമാകുന്നു.

(I ഡി) (I സി) ഉപവകുപ്പിൽ എന്തുതന്നെ അടങ്ങിയിരുന്നാലും, കാർഷികാദായം ലഭിക്കുന്ന വ്യക്തിയുടെ നിയന്ത്രണത്തിന് അതീതമായ സാഹചര്യങ്ങളാൽ (I. ബി) ഉപവകുപ്പ് (ബി) എന്ന ഖണ്ഡത്തിലെ വ്യവസ്ഥകൾപ്രകാരം നിക്ഷേപിക്കുകയോ ഡെപ്പോസിററു ചെയ്യുകയോ ചെയ്താൽ അപ്രകാരമുള്ള ഏത് ആദായവും അത് ശേഖരിക്കുകയോ മാററിവയ്ക്കുകയോ ചെയ്ത ആവശ്യങ്ങൾക്കുവേണ്ടി ഉപയോഗിക്കാൻ കഴിഞ്ഞില്ലെങ്കിൽ, ഈ സംഗതിയിൽ ലഭിച്ചിട്ടുള്ള ഒരു അപേക്ഷപ്രകാരം കാർഷികാദായ നികുതി ആഫീസർക്ക് അപ്രകാരമുള്ള വ്യക്തിയുടെ അപേക്ഷയിൽ പറഞ്ഞിട്ടുള്ള പ്രകാരവും ട്രസ്ററിന്റെ ഉദ്ദേശങ്ങൾക്ക് അനുയോജ്യമായ വിധവും മററ് ദാനധർമ്മങ്ങൾക്കോ മതപരമോ ആയ ആവശ്യങ്ങൾക്ക് മേൽപ്രകാരമുള്ള ആദായം ഉപയോഗിക്കാൻ ആ വ്യക്തിയെ അനുവദിക്കാവുന്നതും അതിനു ശേഷം (I സി) ഉപവകുപ്പിലെ വ്യവസ്ഥകൾ ഈ ഉപവകുപ്പുപ്രകാരമുള്ള അപേക്ഷയിൽ ആ വ്യക്തി പറഞ്ഞിട്ടുള്ള ആവശ്യങ്ങൾ (I ബി) ഉപവകുപ്പിലെ (എ) ഖണ്ഡപ്രകാരം കാർഷികാദായ നികുതി ആഫീസർക്ക് നല്കിയ നോട്ടീസിൽ പറഞ്ഞിട്ടുള്ള ആവശ്യങ്ങൾ ആയിരുന്നാലെന്നപോലെ പ്രയോഗിക്കാവുന്നതുമാണ്.

3. 61 എ എന്ന പുതിയ വകുപ്പുചേർക്കൽ.—പ്രധാന ആക്ററിലെ 61-ാം വകുപ്പിനുശേഷം താഴെ പറയുന്ന വകുപ്പു ചേർക്കേണ്ടതാണ്, അതായത്:—

61 എ. കാർഷികാദായനികുതി മുതലായവ മുഴുവൻ സംഖ്യയാക്കൽ.—(1) ഈ ആക്ററിലെ മുൻപറഞ്ഞ വ്യവസ്ഥകൾ പ്രകാരം കണക്കാക്കിയ മൊത്ത കാർഷികാദായ തുക അടുത്ത പത്തു രൂപയുടെ ഗുണിതങ്ങളായി മുഴുവൻ സംഖ്യയാക്കേണ്ടതും ഈ ആവശ്യത്തിനുവേണ്ടി രൂപയുടെ ഏതെങ്കിലും ഭാഗമായി വരുന്ന പൈസ വിട്ടുകളയേണ്ടതും അതിനുശേഷം ആ തുക പത്തിന്റെ ഒരു ഗുണിതമല്ലെങ്കിൽ, അപ്പോൾ, ആ തുകയുടെ അവസാന അക്കം അഞ്ചോ അതിൽ കൂടുതലോ ആണെങ്കിൽ പത്തിന്റെ ഗുണിതമായ അടുത്ത ഉയർന്ന സംഖ്യയിലേക്ക് കൂട്ടേണ്ടതും അവസാന അക്കം അഞ്ചിൽ കുറവാണെങ്കിൽ പത്തിന്റെ ഗുണിതമായ അടുത്ത താഴ്ന്ന സംഖ്യയിലേക്ക് കുറയ്ക്കേണ്ടതും അപ്രകാരം മുഴുവൻ സംഖ്യയാക്കിയ തുക ഈ ആക്ററിന്റെ ആവശ്യാർത്ഥം നികുതിദായകന്റെ മൊത്ത കാർഷികാദായമായി കണക്കാക്കുന്നതും ആകുന്നു.

(2) ഈ ആക്ററിലെ വ്യവസ്ഥകൾ പ്രകാരമുള്ള നികുതി തുകയും (17 എ. വകുപ്പുപ്രകാരം നല്കേണ്ടതായ നികുതി ഉൾപ്പെടെ) പലിശ, പിഴ, പ്രായശ്ചിത്തം അല്ലെങ്കിൽ നൽകേണ്ടതായ മറേറതെങ്കിലും തുകയും തിരികെ അടയ്ക്കേണ്ട കുടിശ്ശിക തുകയും അടുത്ത രൂപയായി മുഴുവൻ സംഖ്യയാക്കേണ്ടതും, ഈ ആവശ്യത്തിനുവേണ്ടി, അപ്രകാരമുള്ള തുകയിൽ രൂപയുടെ ഭാഗമായ പൈസ ഉൾപ്പെട്ടിരുന്നെങ്കിൽ, അപ്പോൾ, അപ്രകാരമുള്ള ഭാഗം അൻപതു പൈസയോ അതിൽ കൂടുതലോ ആണെങ്കിൽ അത് ഒരു രൂപയായി കണക്കാക്കേണ്ടതും, അപ്രകാരമുള്ള ഭാഗം അൻപതു പൈയിൽ താഴെയാണെങ്കിൽ അത് വിട്ടുകളയേണ്ടതും ആകുന്നു.

4. പട്ടികയുടെ ഭേദഗതി.— പ്രധാന ആക്ററിന്റെ പട്ടികയിൽ (1)-ാം ഖണ്ഡികയ്ക്കുപകരം, താഴെ പറയുന്ന ഖണ്ഡിക ചേർക്കേണ്ട താണ്, അതായത് :—

"(1) ഒരു കമ്പനി അല്ലാതെയുള്ള ഒരു വ്യക്തിയുടെ സംഗതിയിൽ,—

മൊത്ത കാർഷികാദായം 15,000 രൂപയിൽ കവിയാത്ത പക്ഷം	ഇല്ല
മൊത്തകാർഷികാദായം 15,000 രൂപയിൽ കവിയുകയും എന്നാൽ 25,000 രൂപയിൽ കവിയാതിരിക്കുകയും ചെയ്യുന്ന പക്ഷം.	15,000 രൂപയിൽ കവിഞ്ഞുള്ള മൊത്ത കാർഷികാദായ തുകയുടെ 30 ശതമാനം
മൊത്തം കാർഷികാദായം 25,000 രൂപയിൽ കവിയുകയും എന്നാൽ 30,000 രൂപയിൽ കവിയിതിരിക്കുകയും ചെയ്യുന്ന പക്ഷം	3,000 രൂപായും 25,000 രൂപയിൽ കവിഞ്ഞുള്ള മൊത്ത കാർഷികാദായ തുകയുടെ 40 ശതമാനവും
മൊത്തം കാർഷികാദായം 30,000 രൂപയിൽ കവിയുകയും എന്നാൽ 50,000 രൂപയിൽ കവിയാതിരിക്കുകയും ചെയ്യുന്ന പക്ഷം	5,000 രൂപയും 30,000 രൂപയിൽ കവിഞ്ഞുള്ള മൊത്ത കാർഷികാദായതുകയുടെ 50 ശതമാനവും
മൊത്തം കാർഷികാദായം 50,000 രൂപയിൽ കവിയുകയും എന്നാൽ 70,000 രൂപയിൽ കവിയാതിരിക്കുകയും ചെയ്യുന്ന പക്ഷം	15,000 രൂപയും 50,000 രൂപയിൽ കവിഞ്ഞുള്ള മൊത്ത കാർഷികാദായ തുകയുടെ 60 ശതമാനവും
മൊത്ത കാർഷികാദായം 70,000 രൂപയിൽ കവിയുന്ന പക്ഷം	27,000 രൂപയും 70,000 രൂപയിൽ കവിഞ്ഞുള്ള മൊത്ത കാർഷികാദായതുകയുടെ 70 ശതമാനവും

(ശരിത്തർജ്ജമ)

പി. ജഗമ്മ,
അഡീഷണൽ ഹെഡ് ട്രാൻസ്ലേറ്റർ.

GOVERNMENT OF KERALA

Higher Education (E) Department

NOTIFICATION

G. O. MS. No. 72/82/H.Edn. *Dated, Trivandrum, 2nd July* 1982.

S.R.O.No. 936/82.—In exercise of the powers conferred by subsection (1) of section 4 of the Charitable Endowments Act, 1890 (Central Act 6 of 1890), the Government of Kerala hereby order that the property specified in column (2) of the Schedule appended herewith belonging to the Endowment mentioned in column (1) thereof, shall be vested with the Treasurer of Charitable Endowments, Kerala, and under subsections (1) and (3) of section 5 of the said Act, the Government of Kerala hereby settle the following Scheme for administration of the said property, the same having been previously published under rule 3 of the Charitable Endowments (Kerala) Rules, 1966 and appoint the date of publication of this notification to be the date on which the said Scheme shall come into operation, namely:—

Scheme

1. This Endowment shall be called "Tirur Nursing Home Endowment Fund".

2. The corpus of the Endowment shall consist of Rs. 1,000 (Rupees One thousand only), and shall be vested with the Treasurer of Charitable Endowments, Kerala.

3. The corpus of the Endowment shall be invested in any long term securities of the Government of India or the Government of Kerala or in any of the securities approved by the Government of Kerala.

4. The Headmaster /Headmistress, Government Boys High School Tirur shall be the Administrator of the Fund.

5. The annual interest accruing on the fund shall be utilised during the succeeding year for awarding a prize in cash to a student of the Government Boys High School, Tirur, who has passed the S. S. L. C. Examination conduted during the previous year in the first attempt by securing the highest number of marks.

6. The prize shall be awarded on the occasion of the School Day Celebration or on any other occasion in the academic year itself as decided by the Administrator and thereafter the fact of such award with relevant particulars thereof shall be published in the notice board of the School for information of the public.

G. 1100.

7. If, in any year, two or more pupils secure the same number of highest marks then the amount shall be divided equally and the prizes awarded to them accordingly.

8. Requisition for payment of annual interest shall be send by the Administrator at any time not later than two months prior to the date fixed for the award of the prize and the Treasurer of Charitable Endowments shall thereupon arrange to place the annual interest at the disposal of the Administrator.

9. If the interest is not utilised as provided in clause 5 or if the prize is not awarded owing to the non-availability of a suitable candidate or for any other reason or any balance is left after awarding, the prize such amount shall be added on to the Corpus of the fund by the Treasurer of Charitable Endowments unless its payment is allowed by the Treasurer in exceptional cases on the specific recommendation of the Controlling authority specified in clause 10.

10. If, any doubt or dispute arises regarding the meaning or interpretation of the Scheme, it shall be referred to the Director of Public Instruction, whose decision thereon shall be final.

SCHEDULE

Name of Endowment (1)	*Details of property* (2)
"Tirur Nursing Home, Endowment Fund"	Rs. 1,000 (Rupees One thousand only).

By order of the Governor,
A. RAMASWAMY PILLAI,
Joint Secretary to Government.

Explanatory Note

Dr. K. Alikutty, Tirur Nursing Home wishes to Institue an endowment in the Govt. High School, for Boys' Tirur. Preliminary notification regarding this has been published in the Gazette dated 4-5-1982. Now Government have accepted the Endowment for institution and hence this notification.

GOVERNMENT OF KERALA

Revenue (B) Department

NOTIFICATION

No. 84414/B1/81/RD. *Dated, Trivandrum,* 13*th May* 1982.

S.R.O. No. 937/82.—Under subsection (1) of section 52 of the Kerala Land Acquisition Act, 1961 (21 of 1962), the Government of Kerala hereby withdraw from the acquisition of the land mentioned in the schedule hereto annexed in respect of which notification No. A1/57/80 dated the 28th January 1981 under subsection (1) of section 3 of the said Act has been published at page 7, column 5 of the Kerala Kaumudi daily newspaper dated the 3rd February, 1981 and at page 13, column 3 of the Mathrubhumi daily newspaper dated the 1st February, 1981.

SCHEDULE

District—Trivandrum.

Taluk—Trivandrum *Village*—Madathuvilakam

Survey No.	*Description*	*Extent in hetare*
1713/part	Dry land	0.5184

Explanatory Note

(This is not part of the notification, but is intended to indicate its general purport.)

Land Acquisition Proceedings were initiated in Sy. No. mentioned in the above schedule for the State Planning Board. But Government have decided not to continue the L. A. proceedings and hence in Government letter No. 17133/B3/81/RD dated 31-8-1981 ordered to drop the Land acquisition proceedings. This notification is intended to achieve the above object of withdrawal.

എസ്. ആർ. ഒ. നമ്പർ 937/82.—1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്ട് (1962-ലെ 21) 52-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പുപ്രകാരം, കേരള സർക്കാർ ഇതോടൊന്നിച്ച് ചേർത്തിട്ടുള്ള പട്ടികയിൽ പറഞ്ഞിട്ടുള്ളതും പ്രസ്തുത ആക്ററ് 3-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പ് പ്രകാരം 1981 ഫെബ്രുവരി 3-ാം തീയതിയിലെ കേരള കൗമുദി ദിനപത്രത്തിൽ 7-ാം പേജിൽ 5-ാം കോളത്തിലും 1981 ഫെബ്രുവരി 1-ാം തീയതിയിലെ മാതൃഭൂമി ദിനപത്രത്തിൽ 13-ാം പേജിൽ 3-ാം കോളത്തിലും പ്രസിദ്ധപ്പെടുത്തിയതുമായ 1981 ജനുവരി

28-ാം തീയതിയിലെ എ1-56/80 എന്ന നമ്പർ വിജ്ഞാപനത്തിലെ ഭൂമിയെ സംബന്ധിച്ചുള്ള സ്ഥലമെടുപ്പ് നടപടികളിൽ നിന്നും ഇതിനാൽ പിൻവാങ്ങുന്നു.

പട്ടിക

ജില്ല—തിരുവനന്തപുരം

താലൂക്ക്—തിരുവനന്തപുരം   വില്ലേജ്—മണക്കാട്

സർവ്വെ നമ്പർ	വിവരണം	വിസ്തീർണ്ണം (ഹെക്ടർ)
1713/ഭാഗം	പുരയിടം	0.5181

വിശദീകരണക്കുറിപ്പ്

(ഇത് വിജ്ഞാപനത്തിന്റെ ഭാഗമല്ല. എന്നാൽ അതിന്റെ പൊതു ഉദ്ദേശം വെളിപ്പെടുത്തുവാൻ ഉദ്ദേശിച്ചു കൊണ്ടുള്ളതാണ്).

സംസ്ഥാന പ്ലാനിംഗ് ബോർഡിന് വേണ്ടി മുകളിൽ പറഞ്ഞ പട്ടികയിൽ സൂചിപ്പിച്ചിട്ടുള്ള സർവ്വേ നമ്പരിൽ സ്ഥലമെടുപ്പ് നടപടികൾ ആരംഭിച്ചിരുന്നു. എന്നാൽ സ്ഥലമെടുപ്പ് നടപടികൾ തുടരേണ്ടതില്ലെന്ന് സർക്കാർ തീരുമാനിച്ചു. അതുകൊണ്ട് 1981 ആഗസ്റ്റ് 31-ാം തീയതിയിലെ 17133/ബി3/81/ആർഡി. നമ്പർ സർക്കാർ കത്തിൽ സ്ഥലമെടുപ്പ് നടപടികൾ നിറുത്തി വയ്ക്കുവാൻ ഉത്തരവായി. മേൽപറഞ്ഞ നടപടികളിൽ നിന്നും പിൻവാങ്ങുന്നതിന് ഉദ്ദേശിച്ചു കൊണ്ടുള്ളതാണ് ഈ വിജ്ഞാപനം.

By order of the Governor,
K. NARAYANAN,
Deputy Secretary to Government.

GOVERNMENT OF KERALA

Revenue (B) Department

NOTIFICATION

No. 10989/B1/82/RD. *Dated, Trivandrum, 23rd May* 1982.

S.R.O. No. 938/82.—Under subsection (1) of section 52 of the Kerala Land Acquisition Act, 1961 (21 of 1962), the Government of Kerala hereby withdraw from the acquisition of land mentioned in the schedule hereto annexed in respect of which Notification No. C. 9023/76 dated the 14th January, 1977 under subsection (1) of section 3 of the said Act has been published by the Revenue Divisional Officer, Kottayam at pages 545-546 of Part III of the Kerala Gazette dated the 15th February, 1977 and Declaration No. K. Dis. 58216/77/LRC1 dated the 4th January 1978 under section 6 of the Act has been published by the Board of Revenue at page 1 on Part III of the Kerala Gazette No. 9 dated the 28th February, 1978.

SCHEDULE

District—Kottayam *Taluk*—Changanacherry

Village—Vazhappally East

Survey No.	*Description*	*Extent—(in Hectare)*
297/16-1-2	Dry	0.2025

Explanatory Note

(This is not a part of the notification, but is intended to included its general purport).

Government in their letter No. 35428/71/S3/LRD dated 7-10-1971 Revenue (S) Department forwarded an application put in by Sri Thomas Philipose, Kavalam Puthuparambil House, Vazhappally East, Kottayam for the acquisition of the land for the shifting the Kudikidappu under section 75 (3) of the K.L.R. Act. After the publication of Draft Declaration in the Gazette the applicant Shri Thomas Philipose has expired. So Government in their letter No. 3717/T2/79/RD dated 5-2-1979 ordered to drop further action on the application for shifting the Kudikidappu. Hence this notification is published.

എസ്. ആർ. ഒ. നമ്പർ 938/82.— 1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്ററ് (1962-ലെ 21), 52-ം വകുപ്പ് (1)-ം ഉപവകുപ്പു പ്രകാരം കേരള സർക്കാർ ഇതോടു ചേർത്തിട്ടുള്ള പട്ടികയിൽ പറഞ്ഞിട്ടുള്ളതും 1977 ഫെബ്രുവരി 15-ം തീയതിയിലെ കേരള ഗസററ് 3-ം ഭാഗം, 545-ം 546-ം പേജുകളിൽ കോട്ടയം റവന്യൂ ഡിവിഷണൽ ആഫീസർ പ്രസിദ്ധീക

രിച്ച പ്രസ്തുത ആക്ററ് 3-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പു പ്രകാരമുള്ള 1977 ജനുവരി 14-ാം തീയതിയിലെ സി 9023/76 എന്ന നമ്പർ വിജ്ഞാപനവും 1978 ഫെബ്രുവരി 28-ാം തീയതിയിലെ 9-ാം നമ്പർ കേരളാ ഗസററ് 3-ാം ഭാഗം 1-ാം പേജിൽ റവന്യൂ ബോർഡ് പ്രസിദ്ധീകരിച്ച, പ്രസ്തുത ആക്ററ്, 6-ാം വകുപ്പ് പ്രകാരമുള്ള 1978 ജനുവരി 4-ാം തീയതിയിലെ കെ. ഡിസ്. 5821എ/77/എൽ. ആർ. സി. I എന്ന നമ്പർ പ്രഖ്യാപനം പുറപ്പെടുവിച്ചിട്ടുള്ളതുമായ സ്ഥലം വിലയ്ക്കെടുക്കുന്നതിൽ നിന്നും ഇതിനാൽ പിൻവാങ്ങുന്നു.

പട്ടിക

ജില്ല—കോട്ടയം   താലൂക്ക്—ചങ്ങനാശ്ശേരി   വില്ലേജ്—വാഴപ്പള്ളി ഈസ്ററ്

സർവ്വെ നമ്പർ—297/16-1-2
വിവരണം—പുരയിടം
വിസ്തീർണ്ണം—0.2025 ഹെക്ടർ

വിശദീകരണക്കുറിപ്പ്

(ഇത് വിജ്ഞാപനത്തിൻെറ ഭാഗമല്ല. എന്നാൽ അതിൻെറ ഉദ്ദേശം സൂചിപ്പിക്കുന്നതിനായി ചേർത്തിട്ടുള്ളതാണ്.)

സർക്കാർ അവരുടെ റവന്യൂ (എസ്) വകുപ്പ് വക 7-10-71-ലെ 35428/എസ്3/71/എൽ ആർഡി. എന്ന നമ്പർ കത്തുപ്രകാരം കോട്ടയത്ത് വാഴപ്പള്ളി ഈസ്ററിൽ ചമ്പാലം പുതുപറമ്പിൽ വീട്ടിൽ ശ്രീ. തോമസ് ഫിലിപ്പോസ്, കെ. എൽ. ആർ. ആക്ററ് 75 (2)-ാം വകുപ്പ് പ്രകാരം കുടികിടപ്പ് മാററാൻ വേണ്ടി ഭൂമി വിലയ്ക്കെടുക്കാനായി സമർപ്പിച്ചിരുന്ന ഒരു അപേക്ഷ അയക്കുകയുണ്ടായി. കരട് പ്രഖ്യാപനം ഗസററിൽ പ്രസിദ്ധീകരിച്ചതിനു ശേഷം അപേക്ഷകനായ ശ്രീ. തോമസ് ഫിലിപ്പോസ് അന്തരിച്ച് ആയതിനാൽ സർക്കാർ അവരുടെ 5-2-1979-ലെ 3717/റ്റി2/79/ആർഡി. എന്ന നമ്പർ കത്തുപ്രകാരം കുടികിടപ്പ് മാററാനായുള്ള അപേക്ഷയിൻമേലുള്ള മേൽ നടപടികൾ ഉപേക്ഷിക്കാൻ ഉത്തരവിടുകയുണ്ടായി. അതുകൊണ്ടാണ് ഈ വിജ്ഞാപനം പ്രസിദ്ധീകരിക്കുന്നത്.

By order of the Governor,
K. NARAYANAN,
Deputy Secretary to Government.

Kerala Gazette No. 32 dated 10th August 1982.
PART I Section iv

GOVERNMENT OF KERALA

Local Administration and Social Welfare (C) Department

NOTIFICATION

G.O. (Rt.) No. 1852/82/LA&SWD. *Dated, Trivandrum, 8th June* 1982.

S. R. O. No. 939/82.—Under subsection (1) of section 52 of the Kerala Land Acquisition Act, 1961 (21 of 1962), the Government of Kerala hereby withdraw from the acquisition of lands mentioned in the schedule hereto annexed in respect of which land acquisition proceedings were initiated by the Tahsildar, Nedumangad by the issue of notification No. B2-5600/77 dated the 15th June, 1977 under subsection (1) of section 3 thereof, published at page 2634 in Part III of the Kerala Gazette dated the 16th August, 1977 and the Declaration published at page 3729 in Part III of the Kerala Gazette dated the 26th December, 1978.

SCHEDULE

District—Trivandrum

Taluk—Nedumangad *Village*—Vellanad

Survey No.	*Description*	*Extent (in ares)*
779/3 (old) 779/8 (new)	Dry	4.05

എസ്. ആർ. ഓ. നമ്പർ 939/82.—1961-ലെ കേരള സ്ഥലമെടുപ്പ് ആക്ററ് (1962-ലെ 21), 52-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പു പ്രകാരം കേരള സർക്കാർ ഇതോടൊന്നിച്ച് ചേർത്തിട്ടുള്ള പട്ടികയിൽ പറഞ്ഞിട്ടുള്ളതും 1977 ആഗസ്ററ് 16-ാം തീയതിയിലെ കേരള ഗസററിന്റെ 3-ാം ഭാഗം 2634-ാം പേജിൽ പ്രസിദ്ധപ്പെടുത്തിയ പ്രസ്തുത ആക്ററ് 3-ാം വകുപ്പ് (1)-ാം ഉപവകുപ്പ് പ്രകാരമുള്ള 1977 ജൂൺ 15-ാം തീയതിയിലെ ബി2-5600/77 എന്ന നമ്പർ വിജ്ഞാപനവും 1978 ഡിസംബർ 26-ാം തീയതിയിലെ കേരള ഗസററിൽ 3-ാം ഭാഗം 3729-ാം പേജിൽ പ്രസിദ്ധപ്പെടുത്തിയ പ്രഖ്യാപനവും പുറപ്പെടുവിച്ചുകൊണ്ട് നെടുമങ്ങാട് തഹശീൽദാർ സ്ഥലമെടുപ്പ് നടപടികൾ ആരംഭിച്ചിട്ടുള്ളതുമായ സ്ഥലം വിലയ്ക്കെടുക്കുന്നതിൽ നിന്നും ഇതിനാൽ പിൻവാങ്ങുന്നു..

പട്ടിക

ജില്ല—തിരുവനന്തപുരം

താലൂക്ക്—നെടുമങ്ങാട് വില്ലേജ്—വെള്ളനാട്

സർവ്വേ നമ്പർ	വിവരണം	വിസ്തീർണ്ണം (ആർ)
779/3 (പഴയത്), 779/8 (പുതിയത്)	പുരയിടം	4.05

G. 902

Explanatory Note

(This is noi part of the notification but is intended to indicate its general purport).

On request of the Vellanad Panchayat for acquisition of 10 cents of land in Sy. No 779/3-1 (old) 779/8 (new) of Vellanad Village for construction of a Open Air Theatre the notificati n under section 3 (1) of Kerata Land Acquisition Act and the Draft Declaration were published in the Gazette dated 26-12-1980. Now the Panchayat Committee has resolved to with draw the acquisition proceedings and requested the Land Acquisition Authorities to take steps accordingly. The notification is intended to achieve the above object.

(ഇതു വിജ്ഞാപനത്തിന്റെ ഭാഗമല്ല. എന്നാൽ അതിന്റെ പൊതു ഉദ്ദേശം വ്യക്തമാക്കുന്നതിനുദ്ദേശിച്ചുകൊണ്ടുള്ളതാണ്.)

വെള്ളനാട് പഞ്ചായത്തിന് ഒരു 'ഓപ്പൺ എയർ തിയേറ്റർ' പണിയുന്നതിനു വേണ്ടി വെള്ളനാട് വില്ലേജ് സർവ്വേ നമ്പർ 779/3 (പഴയത്) 779/8 (പുതിയത്)-ൽ നിന്നും 10 സെന്റ് ഭൂമി പൊന്നും വിലക്കെടുക്കുന്നതിന് പഞ്ചായത്തിന്റെ അഭ്യർത്ഥനയനുസരിച്ച് കേരള സ്ഥലമെടുപ്പ് നിയമത്തിലെ റൂം 3 (1) നോട്ടീസും പ്രഖ്യാപനവും പരസ്യപ്പെടുത്തുകയുണ്ടായി. എന്നാൽ പഞ്ചായത്ത് പ്രസ്തുത സ്ഥലമെടുപ്പ് പരിപാടിയിൽ നിന്ന് പിൻവാങ്ങുവാൻ തീരുമാനിക്കുകയും അതിനുവേണ്ട നടപടികൾ എടുക്കുന്നതിന് ആവശ്യപ്പെടുകയും ചെയ്തിട്ടുണ്ട്. മേൽ പറഞ്ഞ ആവശ്യം നിറവേറ്റുന്നതിനു വേണ്ടിയാണ് ഈ വിജ്ഞാപനം.

By order of the Governor,
M. DANDAPANI,
Special Secretary to Government.

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GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport C) Department

NOTIFICATION

No. 4646/TC2/82/TF&P. *Dated, Trivandrum*, 29*th May*, 1982

S. R. O. No. 941/82.—Whereas representations have been received by Government from the Stage Carriage Operator Shri N. Gopalan, Gopal Motor Transport, Kundara, Quilon that the vehicle tax for the quarter ended on the 31st March, 1982 in respect of the stage carriage bearing registration numbers KLQ. 4518 and KLQ. 6345 could not be remitted within the prescribed period due to financial strain and that extension of time for payment of vehicle tax in respect of these vehicles may, therefore, be granted ;

And whereas, the Government are convinced that circumstances existed that the operator of the said stage carriages could not remit the vehicle tax in respect of the said stage carriages ordinarily kept for use in the State for the quarter ended on the 31st March, 1982 due to financial strain ;

And whereas, the Government are convinced that non-operation of the said stage carriages due to non-payment of tax would have caused great inconvenience to the travelling public ;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarter ended on the 31st March, 1982 in respect of the said stage carriages ;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarter ended on the 31st March, 1982 in respect of the said stage carriages ordinarily kept for use in the State shall be paid on or before the 31st March , 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/75-5/PW. dated the 29th September, 1975 published as S. R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

By order of the Governor,

P. Sankaran Nair,

Additional Secretary to Government.

[P.T.O.]

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification.)

Government have received certain representations from the Stage Carriage Operator as shown in the notification requesting extension of time for payment of vehicle tax for the quarter ended 31st March, 1982 due to financial strain.

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport C) Department

NOTIFICATION

No. 8028/TC2/82/TF&P. *Dated, Trivandrum, 7th June* 1982.

S.R.O. No. 942/82.—Whereas representations has been received by Government from the Stage Carriage Operator specified in the annexure to this notification, that the vehicle tax for the quarters ended on the 31st March, 1982 in respect of the Stage Carriages particulars of which are specified in the said annexure could not be remitted within the prescribed period due to financial strain and that extension of time for payment of vehicle tax in respect of these vehicles may, therefore, be granted;

And whereas, the Government are convinced that circumstances existed that the operators of the said stage carriages could not remit the vehicle tax in respect of the said stage carriages ordinarily kept for use in the State for the quarter ended on the 31st March, 1982 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriages due to non-payment of tax would have caused great inconvenience to the travelling public;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarters ended on the 31st March, 1982 in respect of the said stage carriages;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle tax for the quarter ended on the 31st March 1982 in respect of the said stage carriages ordinarily kept for use in the State shall be paid within 3 weeks from 9th February, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (5) No. 33942/TC2/75-5/PW. dated the 29th September, 1975 published as S.R.O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated the 29th September, 1975.

ANNEXU

Sl. No.	Name of Stage Carriage Operator	Registration No. of the Stage Carriage
1.	Shri P.A. Chandran Pillai, Krishna Vihar, Irimtanam, Ernakulam.	KRE. 9799, KRE. 4694
2.	Shri C. K. Kunju Kunjan, Raja Cottage, Cochin, Ernakulam.	KLO. 1241 KRE. 2741
3.	Shri N.X. Vincent, Noottobkallu Home, Palluruthy, Ernakulam.	KLF. 1733 KRE. 542

By order of the Governor,

P. SANKARAN NAIR,

Additional Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification.)

Government have received certain representations from the Stage Carriage Operators as shown in the annexure requesting extension of time for payment of vehicle tax for the quarter ended 31st March, 1982 due to financial strain;

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

GOVERNMENT OF KERALA
Higher Education (E) Department
NOTIFICATION

G.O. (Ms). No. 73/82/H. Edn. *Dated, Trivandrum, 2nd July* 1982.

S.R O No 943/82.—In exercise of the powers conferred by subsection (1) of section 4 of the Charitable Endowments Act, 1890 (Central Act 6 of 1890), the Government of Kerala hereby order that the property specified in column (2) of the Schedule appended herewith belonging to the Endowment mentioned in column (1) thereof, shall be vested with the Treasurer of Charitable Endowments, Kerala, and under subsections (1) and (3) of section 5 of the said Act, the Government of Kerala hereby settle the following Scheme for administration of the said property, the same having been previously published under rule 3 of the Charitable Endowments (Kerala) Rules, 1966, and appoint the date of publication of this notification to be the date on which the said Scheme shall come into operation, namely:—

SCHEME

1. This Endowment shall be called "Smt. Omana Ammal Memorial Endowment Fund".

2. The corpus of the Endowment shall consist of Rs. 1,250 (Rupees One thousand two hundred and fifty only), and shall be vested with the Treasurer of Charitable Endowments, Kerala.

3. The corpus of the Endowment shall be invested in any long term securities of the Government of India or the Government of Kerala or any of the securities approved by the Government of Kerala.

4. The Headmaster/Headmistress, A. J. John Memorial Government High School for Girls Thalayolaparambu, Thalayolaparambu P. O. Vaikom shall be the Administrator of the fund.

5. The annual interest accruing on the Fund shall be utilised during the succeeding year for awarding a prize in cash to a student of the A. J. John Memorial Government High School for Girls, Thalayolaparambu, who has passed the S. S. L. C. Examination in the first attempt by securing the highest number of marks in Social Studies.

6. The prize shall be awarded on the occasion of the School Day Celebration or on any other occasion in the academic year as decided by the Administrator and thereafter the fact of such award with relevant particulars shall be published in the notice board of the School for the information of the public.

7. If, in any year, two or more pupils secures the same number of highest marks, then the amount shall be divided equally among them and the prizes awarded accordingly.

8. Requisition for payment of annual interest shall be sent by the Administrator at any time not later than two months prior to the date fixed for the award of the prize and the Treasurer of Charitable Endowments shall, thereupon arrange to place the annual interest at the disposal of the Administrator.

9. If, the interest is not utilised as provided in clause 5 or if the prize is not awarded owing to the non-availability of suitable candidates or for any other reason or any balance is left after awarding the prize, such amount shall be added on to the corpus of the fund by the Treasurer of Charitable Endowments, unless its payment is allowed by the Treasurer in exceptional cases on the specific recommendation of the controlling authority specified in clause 10.

10. If any doubt or dispute arises regarding the meaning or interpretation of the Scheme, it shall be referred to the Director of Public Instruction whose decision thereon shall be final.

SCHEDULE

Name of Endowment	*Details of Property*
"Smt. Omana Ammal Memorial Endowment Fund".	Rs. 1,250 (Rupees One thousand two hundred and fifty only).

By order of the Governor,

A. RAMASWAMY PILLAI,

Joint Secretary to Government.

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport.)

Sri A. K. P. Nair, O. C. R. I., D. T. D. and P. A.N., Ministry of Defence, Bangalore wishes to institute an endowment in A. J. John Memorial Girls High School, Thalayolaparambu. Preliminary notification regarding this has been published in the Gazette dated 4-5-1982. Now Government have accepted the endowment for institution and hence this notification.

GOVERNMENT OF KERALA

Development (S) Department

NOTIFICATIONS

G.O. (MS) No. 61/82/DD. *Dated, Trivandrum, 4th June* 1982.

I

S. R. O. No. 944/82.—In pursuance of subsection (1) of section 13 of the Bonded Labour System (Abolition) Act 1976 (Act 19 of 1976) read with subsection (2) thereof, the Government of Kerala hereby reconstitute the Vigilance Committee for the District of Palghat with the following members, namely:—

1.	The District Collector, Palghat or a person nominated by him	Chairman
2.	Shri P. Kunhan, Ex. M. P., Palappuram, Ottappalam, Palghat.	Members belonging to Sch. Castes and Sch. Tribes residing in the District.
3.	Shri P. Koyan, President, Pudur Panchayat, Pudur, Attappady, Mannarghat Taluk.	
4.	Shri K. Kaliappan, Member, Kozhinjampara Panchayat, Chittur Taluk	
5.	Shri S. Arumughan, Panchayat Member, Eruthempathy Panchayat	Social workers residing in the District.
6.	Shri K. B. Guptan, Kolapadom, Mannarghat	
7.	The District Welfare Officer, Palghat	Members representing Official or non-official agencies in the district connected with rural development.
8.	The District Labour Officer, Palghat	
9.	The D. S. P., Palghat	
10.	The President, Palghat District Co-operative Bank Ltd., Palghat.	Member representing financial and credit institutions in the District.

II

S. R. O. No. 945/82.—In pursuance of subsection (1) of section 13 of the Bonded Labour System (Abolition) Act 1976 (Act 19 of 1976) read with subsection (3) thereof the Government of Kerala hereby re-constitute the Vigilance Committee for the Subdivision of Ottappalam in Palghat District with the following members namely:—

1.	The Assistant Collector, Ottappalam or a person nominated by him	Chairman
2.	Shri M. P. Thami, Ex. M. L. A. Parudur, Ottappalam	Members belonging to Sch. Castes and Sch. Tribes residing in the Subdivision
3.	Shri K. Narayanan, Keerthi, Veetilpadi, Erakkothiri, S. R. K. Nagar.	
4.	Shri Binan, Kavundikal, Agali, Mannarghat Taluk	
5.	Mrs. Nanikutty Amma, President, Kasturba Balika Sadanam, Ottappalam.	Social workers residing in the Subdivision
6.	Shri K. V. Ibrahim, Agali, Mannarghat Taluk	
7.	The Project Officer, I. T. D. P., Agali	Members representing official or non-official agencies connected with rural development.
8.	The District Welfare Officer, Palghat	
9.	The Taluk Welfare Officer, Ottappalam	
10.	The President, Taluk, Co-operative Union Bank Ltd., Mannarghat.	Member representing financial and credit institutions in the Subdivision.

III

S. R. O. No. 946/82. In pursuance of Subsection (1) of Section 13 of the Bonded Labour System (Abolition) Act 1976 (Act 19 of 1976) read with Subsection (3) thereof, the Government of Kerala hereby re-constitute the Vigilance Committee for the Subdivision of Palghat in Palghat District with the following members, namely:—

1.	The Sub-Collector, Palghat or a person nominated by him	Chairman

2.	Shri Subbayyan, Kunnathumedu, Palghat.	Members belonging to Sch. Castes and Sch. Tribes residing in the District
3.	Shri Chadayan Chandrapuram, Walayar, Palghat	
4.	Shri A. Ponnumala, Vice-President, Kozhinjampara Panchayat, Chittur Taluk.	
5.	Shri Balan Menon, Ravi Vihar, Puthur, Palghat.	Social Workers residing in the Subdivision
6.	Shri T. Chathu, Panchayat President, Muthalamada Panchayat.	
7.	The Taluk Welfare Officer, Alathur	Members representing Official or non-official agencies connected with rural development.
8.	The Taluk Welfare Officer, Chittur	
9.	The Taluk Welfare Officer, Palghat	
10.	The President, Palghat District Co-operative Bank Ltd., Palghat.	Member representing financial and credit institutions in the Subdivision

By order of the Governor,

B. K. Jaiswar,

Joint Secretary to Government.

Kerala Gazette No. 32 dated 10th August 1982.
PART I **Section iv**

GOVERNMENT OF KERALA

Transport, Fisheries & Ports (Transport-B) Department

NOTIFICATION

G. O. Rt. No. 557/82/TF & P. *Dated, Trivandrum, 29th June* 1982.

S. R. O. No. 947/82.—Whereas Shri T. K. Raveendran, Subash Motors, Muvattupuzha is operating the vehicle bearing registration No. KEE 5150, the details of which are hereunder given as a stage carriage on National and State highways alone.

And whereas, he desires to operate the said vehicle as a stage carriage on routes including ghat roads also;

And whereas, the overall length and overhang of the said vehicle exceeds the limits prescribed under sub-rule (2) of rule 267 and rule 294 respectively of the Kerala Motor Vehicles Rules, 1961.

And whereas, the Government of Kerala are satisfied that the said vehicle can conveniently be used as a stage carriage on routes including ghat roads also with such excess measurements;

Now, therefore, in exercise of the powers conferred by rule 368 of the Kerala Motor Vehicles Rules, 1961, the Government of Kerala hereby exempt the said vehicle from the provisions of sub-rule (2) of rule 267 and rule 294 of the said Rules.

DETAILS OF THE VEHICLE

Registration No.	..	KEE 5150
Model	..	Ashok Leyland, Cheetah
Engine No.	..	ALL 114557
Chassis No.	..	ALD 131747
Class of vehicle	..	Stage carriage
Overall length	..	970 centimeters
Over hang	..	317 centimeters (60%)
Wheel base	..	(210) 533.4 centimeters

By order of the Governor,

P. SANKARAN NAIR,

Additional Secretary to Government.

G. 962 [P. T. O.]

Explanatory Note

(This is not part of the notification, but is intended to indicate its general purport).

Shri T. K. Raveendran, Subash Motors, Muvattupuzha has requested Government to exempt the vehicle mentioned in the above notification from the provisions of sub-rule (2) of rule 267 and rule 294 of the Kerala Motor Vehicles Rules, 1961 so as to enable him to operate the vehicle on routes including ghat roads also. Government have considered the request and have decided to grant the exemption sought for. Hence this notification.

GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport C) Department

NOTIFICATION

No. 8030/TC2/82/TF&P. *Dated, Trivandrum, 7th June* 1982.

S. R. O. No. 948/82.—Whereas representation has been received by Government from the Stage Carriage Operator specified in the annexure to this notification, that the vehicle tax for the quarter ended on the 31st March, 1982, in respect of the Stage Carriages particulars of which are specified in the said annexure could not be remitted within the prescribed period due to financial strain and that extension of time for payment of Vehicle tax in respect of these vehicles may, therefore, be granted;

And whereas, the Government are convinced that circumstances existed that the operators of the said stage carriages could not remit the vehicle tax in respect of the said stage carriages ordinarily kept for use in the State for the quarter ended on the 31st March, 1982 due to financial strain;

And whereas, the Government are convinced that non-operation of the said stage carriages due to non-payment of tax would have caused great inconvenience to the travelling public;

And whereas, the Government consider it necessary to extend in public interest the time for payment of the vehicle tax for the quarter ended on the 31st March, 1982, in respect of the said stage carriages;

Now, therefore, in exercise of the powers conferred by section 22 of the Kerala Motor Vehicles Taxation Act, 1976 (19 of 1976), read with rule 5 of the Kerala Motor Vehicles Taxation Rules, 1975, the Government of Kerala hereby order that the vehicle-tax for the quarter ended on the 31st March, 1982 in respect of the said stage carriages ordinarily kept for use in the State shall be paid within three weeks from 4th February, 1982 together with additional tax payable under section 12 of the Kerala Motor Vehicles Taxation Act, 1976 read with the notification (S) No. 33942/TC2/75-5/PW, dated the 29th September, 1975 published as S. R. O. No. 876/75 in the Kerala Gazette Extraordinary No. 572 dated 29th September, 1975.

G. 909

ANNEXURE

Sl. No.	Name of Stage Carriage Operators	Registration No. of the Stage Carriage
1.	The Secretary, The Cannanore District Motor Employees Co-operative Society Ltd., Cannanore	KLC. 3959 KLC. 4503 KLC. 5185 KLC. 7521 KLC. 7572 KLC. 8274
2.	Thozhilali Bus Service, Chalakudy	KLR. 4548

By order of the Governor,
P. SANKARAN NAIR,
Additional Secretary to Government.

Explanatory Note

(This is not part of the notification, but is intended to indicate the main purpose of the issue of the notification).

Government have received certain representations from the Stage Carriage Operator as shown in the annexure requesting extension of time for payment of vehicle tax for the quarter ended 31st March, 1982 due to financial strain.

Government are convinced of the position and in public interest, grant extension of time for payment of tax as otherwise these vehicles might be put out of operation for non-payment of tax causing great inconvenience to the travelling public.

Kerala Gazette No. 32 dated 10th August, 1982.
PART I **Section iv**

GOVERNMENT OF KERALA

Labour (B) Department

NOTIFICATION

No. G.O. (Rt.) 753/82/LBR. *Dated, Trivandrum, 15th July,* 1982

S. R. O. No. 949/82.—Under sub-section (1) of section 7 of the Kerala Toddy Workers' Welfare Fund Act, 1969 (22 of 1969), read with sub-para (2) of paragraph 25 of the Kerala Toddy Workers' Welfare Fund Scheme, 1969, the Government of Kerala hereby appoint Shri A. V. Sanku Achary as Welfare Fund Inspector, Alleppey to Assist the Chief Welfare Fund Inspector in the discharge of his duties and make the following consequential amendment to the Notification issued under G. O. (Rt) No. 1055/81/LBR dated the 18th August 1981, and published as S. R. O. No. 1131/81 in Part I of the Kerala Gazette No. 40 dated the 6th October, 1981, namely:—

AMENDMENT

In the Schedule to the said Notification, for Serial No. 3 in column (1) and the entries relating thereto in columns (2) and (3), the following, shall be substituted, namely:—

(1)	(2)	(3)
"3. A. V. Sanku Achary	Welfare Fund Inspector.	Alleppey District"

By order of the Governor,
V. KRISHNAMURTHY,
Secretary to Government.

Explanatory Note

(This does not form part of the Notification, but is intended to indicate its general purpose).

Sri K. N. Karthikeyan Nair, Welfare Fund Inspector, Alleppey has been reverted to his Parent Department (Labour) on the expiry of his period of deputation and in his place Shri A. V. Sanku Achary has been posted as Welfare Fund Inspector, Alleppey. The names and the local limits of the Welfare Fund Inspectors appointed in the Kerala Toddy Workers' Welfare Fund Board are to be notified from time to time under section 7(1) of the Kerala Toddy Workers' Welfare Fund Act, 1969 (Act 22 of 1969). This notification is intended to achieve the above purpose.

Kerala Gazette No. 32 dated 10th August 1982.
PART I **Section iv**

GOVERNMENT OF KERALA

Home (C) Department

NOTIFICATIONS

G.O. Rt.. No. 1873/82/Home *Dated, Trivandrum, 27th July* 1982.

I

S.R.O.No.950/82.—In exercise of the poewers conferred by subsection (2) of section 5 of the Kerala Civil Courts Acts 1957 (I of 1957) the Government of Kerala in consultation with the High Court of Kerala vary and fix with effect from the 2nd August, 1982, the number of Munsiffs to be appointed for the Munsiffs Court, Kottayam as two.

II

S. R. O. No. 951/82.—In exercise of the powers conferred by subsection (2) of section 5 of the Kerala Civil Courts Act, 1957 (1 of 1957) the Government of Kerala in consuliation with the High Court of Kerala, hereby vary and fix with effect from the 2nd August, 1982, the number of Munisffs to be appointed for the Munsiff's Court, Ernakulam as three.

By order of the Governor,
K. Achuthan Nair,
Joint Secretary to Government.

Explanatory Note

(This does not form part of the notification but is intended to achieve its general purport).

In view of the heavy pendency of cases in the Munsiff's Court, Kottayam, Government have decided in consultation with the High Court to shift the III Additional Bench of Munsiff's Court, Ernakulam to Kottayam with effect from 2-8-1982 to function as the Additional Bench to Munsiff's Court, Kottayam. Thus the number of Munsiff's for Munsiff's Court, Kottayam is refixed as two and that for Munsiff's Court, Ernakulam is reduced to three with effect from 2-8-1982. The notifications are intended to achieve the object.

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Government of Kerala
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Reg. No. KL/TV(N)/12



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVII] Trivandrum, Tuesday, 10th August 1982 / 19th Sravana 1904 (Saka) [No. 561

NOTIFICATION

UNDER SECTION 6 OF THE KERALA SURVEY AND BOUNDARIES ACT, 1961

No. B. 538/82. *7th August 1982.*

Whereas the Government have directed the survey of lands comprised in survey numbers noted below, it is hereby notified under subsection (1) of section 6 of the Kerala Survey and Boundaries Act, 1961, that survey operation will be started in the village soon and the survey numbers of the village noted below will be demarcated and surveyed; and that every person claiming to be interested in the registered lands situated within or adjoining the undermentioned lands is hereby invited to attend immediately either in person or by agent on the surveyor employed in the locality and also from time to time when called upon for the purpose of pointing out the boundaries and supplying information in connection therewith.

Under subsection (2) of section 6 of the said Act, this notification shall be held to be a valid notice, to every person having any interest in the said lands.

Under subsection (3) of section 6 of the above said Act, all the registered holders are hereby required :—

(a) to clear within 15 days by cutting down or removing any trees, jungle, fences, standing crops or other material obstructions, the boundaries or other lines, the clearance of which may be necessary for the purposes of survey ; and

(b) to provide labour at such time and for such periods as may from time to time be required by furnishing flag holders and chainmen; and

(c) to provide suitable survey marks and otherwise to give such assistance in the survey as may be demanded under the said Act or the rules made thereunder.

If any person fails to comply with these requisitions under clauses (a) to (c) mentioned above, the work will be got done by employing hired labour and the cost thereof will be recovered from the defaulters as provided in the Act and Rules made thereunder.

താഴെ പറയുന്ന താലൂക്കിലും വില്ലേജിലും പെട്ടതും താഴെ വിവരിക്കുന്ന സർവ്വെ നമ്പരുകളിൽപ്പെടുന്നതുമായ ഭൂമികളുടെ സർവ്വെ നടത്തണമെന്നു ഗവൺമെൻറു നിർദ്ദേശിച്ചിരിക്കുകയാൽ താഴെ പറയുന്ന വില്ലേജിൽ സർവ്വെ പ്രവർത്തനങ്ങൾ വേഗം തന്നെ ആരംഭിക്കുന്നതാണെന്നും താഴെ പറയുന്ന വില്ലേജിലെ ചുവട്ടിൽ വിവരിക്കുന്ന സർവ്വെ നമ്പരുകൾ അതിർത്തി തിരിച്ച് സർവ്വെ ചെയ്യുന്നതാണെന്നും 1961-ലെ കേരള സർവ്വെയും അതിർത്തിയും സംബന്ധിച്ച ആക്ററിലെ 6 (1)-ാം വകുപ്പ് പ്രകാരം ഇതിനാൽ പരസ്യം ചെയ്യുന്നു. താഴെ പറയുന്ന ഭൂമികളുടെ ഉള്ളിലോ അഥവാ അവയോടു ചേർന്നോ സ്ഥിതിചെയ്യുന്ന രജിസ്ററർ ചെയ്ത ഭൂമികളിൽ അവകാശമുണ്ടെന്ന് തേർച്ച ചെയ്യുന്ന ഏതൊരാളെയും നേരിട്ടോ ഏജൻറു മുഖേനയോ സ്ഥലത്തു ജോലിചെയ്യുന്ന സർവ്വെയരുടെ അടുത്തു ഹാജരാകുന്നതിനും അതോടു ബന്ധപ്പെട്ട വിവരങ്ങൾ നൽകുന്നതിനുംവേണ്ടി ഇതിനാൽ ക്ഷണിച്ചുകൊള്ളുന്നു.

പ്രസ്തുത ആക്ററിലെ 6 (2) എന്ന വകുപ്പുപ്രകാരം ഈ പരസ്യം താഴെ പറയുന്ന ഭൂമികളിൽ അവകാശബന്ധമുള്ള ഏതൊരാൾക്കുമുള്ള സാധുവായ നോട്ടീസായി കണക്കാക്കപ്പെടുന്നതാണ്.

പ്രസ്തുത ആക്ററിലെ 6(3)-ാം വകുപ്പു പ്രകാരം രജിസ്ററർ ചെയ്ത എല്ലാ കൈവശക്കാരും—

(എ) സർവ്വെ ചെയ്യുന്നതിനുവേണ്ടി നിർമ്മാർജ്ജനം ചെയ്യേണ്ട ആവശ്യമുണ്ടായേക്കാവുന്ന വല്ല മരങ്ങളോ കുററിക്കാടുകളോ, വേലികളോ നിൽക്കുന്ന വിളകളോ അഥവാ സാരവത്തായ മററു തടസങ്ങളോ 15 ദിവസത്തിനകം മുറിച്ചു കളയുകയോ നീക്കം ചെയ്യുകയോ ചെയ്തു അതിരുകളോ മററു ലൈനുകളോ വെടിപ്പാക്കണമെന്നും;

(ബി) കൊടി പിടിക്കുന്നവരെയും ചെയിൻമാൻമാരെയും നിയോഗിച്ച് അതതു സമയം ആവശ്യമായേക്കാവുന്ന സമയത്തേക്കും കാലത്തേക്കു് തൊഴിലാളികളെ ഏർപ്പെടുത്തണമെന്നും;

(സി) അനുയോജ്യമായ സർവെ അടയാളങ്ങൾ നൽകണമെന്നും മററു പ്രകാരത്തിൽ പ്രസ്തുത ആക്ടോ അതുപ്രകാരമുണ്ടാക്കിയിട്ടുള്ള ചട്ടങ്ങളോ അനുസരിച്ച് ആവശ്യപ്പെട്ടേക്കാവുന്ന സഹായങ്ങൾ സർവ്വേയ്ക്ക് നൽകണമെന്നും ഇതിനാൽ ആവശ്യപ്പെടുന്നു.

മേൽപ്പറഞ്ഞ (എ) മുതൽ (സി) വരെയുള്ള ഖണ്ഡങ്ങൾ പ്രകാരമുള്ള ഈ അഭ്യർത്ഥനകൾ അനുസരിക്കുന്നതിൽ ആരെങ്കിലും വീഴ്ച വരുത്തുകയാണെങ്കിൽ ജോലി കൂലിപ്പണിക്കാരെക്കൊണ്ട് ചെയ്യിക്കുന്നതും ആയതിന്റെ ചെലവ് ആക്റ്റിലും അതുപ്രകാരമുണ്ടാക്കിയിട്ടുള്ള ചട്ടങ്ങളിലും വ്യവസ്ഥ ചെയ്തിട്ടുള്ളതുപോലെ വീഴ്ച വരുത്തിയിട്ടുള്ളവരിൽ നിന്നും വസൂലാക്കുന്നതുമാണ്.

ഭൂമിയുടെ വിശദവിവരങ്ങൾ

District—Alleppey

Taluk—Ambalapuzha

Village—Alleppey West

Survey Nos:—494, 495, 496, 497, 498, 499 & 500.

(Sd.)

Special Tahsildar,
(L.A.) Railways.

Alleppey.

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